THE CASE OF FERRER

SPEECHES DELIVERED

BY THE EX-CABINET MINISTER, ECMO. SR. D. JUAN DE LA CIERVA Y PEÑAFIEL, IN THE CHAMBER OF DEPUTIES DURING THE SESSIONS OF THE 31ST MACH AND 4 TH. AND 5 TH. OF. APRIL, 1911

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THE REVOLUTIONARY MOVEMENT AND THE CONDUCT OF THE CONSERVATIVE PARTY

SPEECHES DELIVERED

BY THE EX-CABINET MINISTER,
ECMO. SR. D. JUAN DE LA CIERVA Y PEÑAFIEL,
IN THE CHAMBER OF DEPUTIES DURING THE SESSIONS
OF THE 31ST MARCH AND 4 TH.
AND 5 TH. OF. APRIL, 1911

Session of the 31st of March

Necessity of the Debate.

Señores Diputados: I require today all your indulgence. It is well known that in coming here to attend at this debate I exert a physical effort; and I do not know if I have sufficient strength to say all that I ought to. On other occasions, and there have been very many, all the Hon. Members have given me proofs of this kindness; and I beg it now with far greater earnestness.

I had intended, Señores Diputados, not to intervene in this debate until all those other orators, who had announced their intention to do so, had made their speeches—I might almost say their accusations. It is now some months, in spite of the extensive discussion of the month of July of last year, since I, and my fellow members, of the Conservative Government, especially our eminent Chief, Señor Maura, first

began to suffer from relentless attacks in reference to the affair which we are now discussing. Naturally we earnestly desired for the moment to arrive when all that has been said at the meetings, all that which has been said in the press, all that which the newspapers themselves have exaggerated, representing us as blood-thirsty men, calling us that name, which has been repeated so often, murderers, when all that should be said to us here, and explained here, and explained by those very people who, invoking the names of Justice and Humanity, have not hesitated to condemn us, and condemn us repeatedly at the time when we had not the opportunity of defending ourselves. (Here! Here!). And even in this did they first begin to show what was in their minds, and what were their intentions. (Here! Here!). Because of this we have always desired, and made no effort to hinder the opening of this debate: because of this we have desired, in spite of having spoken so much in July of last year, of having answered charges similar to those which are being made against us now, of having explained what our connection was with the events of July 1909, when the demand was made for bringing here for your examination all the documents of the trial of Ferrer Guardia, which was held in Barcelona, although entertaining that opinion, which we have always expounded, and which is held by His Majesty's Government, and far from opposing ourselves that such documents be brought to the Congress, we have wished to facilitate it; and we have begged moreover, for the publication of all the documents concerned in the case, together with those of other trials which had any connection with it whatever.

I owe this explanation to the House, because, at the time when I shall say how irregular the whole of this debate seems to me and I shall point out the havoc it is now creating, which it had perforce to create; someone might come to the conclusion that there was a contradiction between this and those other acts of ours, which have assisted the holding of this discussion.

The prestige of the Army.

We have always believed that, rising above the passions evoked by the events of July 1909, there should have been something to merit the respect of every good patriot; that there should have been something-the Army-which although it might have given rise to discussion, remonstrance and recrimination, these would have been uttered after great consideration and serious thought. Whether it is justifiable or not, at any rate it has become so usual as almost to be a consecrated custom in our Country, that neither the public lives, nor even the private lives of we public men, are respected; but when these attacks may do injury to the fundamental institutions of the social life of our Country, then it appears that consideration and self restraint are absolutely necessary. *(Applause.)*

But it has not been thus. And we have arrived perforce at this sad situation; sad situation, I have to say it, gentlemen, when we, who form this small minority, we, who belong to the Conservative Party,—and we especially who had the honour to form the Cabinet under our illustrious chief señor Maura—although our honour is denied, although from begining to end our conduct and our honour are impeached, and our eagerness is great to obtain justice for ourselves, we are those who can suffer but the least injury. But for this Goverment, for the whole majority, for entire Spain, the harm it is producing is very grave, and perhaps, perhaps if patriotism does not come to our aid soon, that harm will be irreparable for the Army.

False Imputations.

What right had we have, gentlemen? When they direct these accusations against us; accusations which are but the echoes of accusations yet more distant, which with the distance wish to gather force, and which are only remembered to us in order to mortify us, in order to humiliate us, so

that there weighs upon us a force against which our own will always be inadequate—nothing less in fact than the opinion of the intellectual world—when we are told this, had we not the right, gentlemen, to have all these imputations proved here in the Chamber of National Representation; had we not the right to demand that in the discussion the truth should not be diverged from, that in reference to the facts, when we are dealing with nothing less than the invocation of a huge injustice, yet another injustice should not be begun also, namely by altering the facts,—by lying? (Signs of approval in the conservative minority) (Señor Soriano—by telling the truth). I say, gentlemen, that when they attack us thus,—without now alluding to anybody, establishing my principles in order to deduce my reasoning,—that when they attack us thus, in matter so delicate as this, that it is much more sensible, and much more punishable, even criminal to found these charges which they are bringing against us, based on proofs notoriously false. But gentlemen, it is a fact, that they have not wielded against us any other weapon in connection with the Ferrer case than a colossal lie, an immense, a conscious lie; a weapon employed from the first moments, and not a new one, indeed, with regard to Ferrer! What would we have to answer here, what would we have to do here, if only truth and reason were placed before us?

Is there anyone, who discussing the affair in good faith denies that the same as when Francisco Ferrer Guardia was indicted on account of the attempt of the Calle Mayor, that when he was indicted on account of the events of July 1909, in foreign countries those intelectuals, whom some of you quoted, before knowing the facts of the case, before, perhaps, that Ferrer had been arrested, had already proclaimed him innocent in both cases,—that a crime was about to be committed—that it was the Spanish inquisitorial reaction which had seized upon that apostle of rationalism, who had come to regenerate us, and open up for us new paths to pro-

gress? Is there anyone, I say, who can in earnest deny these facts? For of these facts there is documentary proof, and although I have already left in July last year in the Diary of the Sessions not a few of such documents, I still have as many more in my possession.

I affirm that the whole of this debate is nothing more than the outcome of the previous one; that it is all an enormous lie, a great prejudice, a great prejudice, señor Salillas, a weapon of combat of the revolutionary elements, which those who are affiliated to the movement maintain, cost what it may, and this being so, I am not surprised that there happens what happens.

The Personality of Ferrer.

I have begged that the trial which took place owing to the attempt in the Calle Mayor be published; for in that you will have a whole arsenal of data—a great lesson—something which has great importance for the History of Spain.

For those, who in order to accuse us and criticise the judicial proceedings in Barcelona, see nothing more, require nothing more, than the pages of the separate proceedings devoted to the investigation of the responsibility of Ferrer; for whom the one thing interesting is to prove that there has been a legal detail more or less perfect, and a complete or incomplete corroboration, or a more complete or incomplete liklihood in the diverse declarations of this or that witness; for them perhaps the publication of this trial may have no importance whatever. But for those, who, on the contrary, comprehend that this affair cannot be understood, and for that reason cannot be judged, without first knowing the character of Ferrer, for those who comprehend that a trial is dealt with which certainly does not permit, which certainly does not merit, that minute and careful analysis to which some of the orators have dedicated themselves; for them the trial of the Calle Mayor has been printed. So that they may there examine the antecedents, that they may there survey

the luminous track of a life laid bare beneath the searching rays of the light of day; and after this it will be as well to say beforehand, for malice and suspicion are swift afoot, that no one wished, nor should have done so, that anything which was exposed in the previous trial of the Calle Mayor, should be held in account when the sentence was brought in by the Military Tribunal of Barcelona.

It is for a greater reason that this trial should be looked into, gentlemen. It is that if we only analyse the facts thinking of an individual named Francisco Ferrer Guardia, who had no past at all, whose life was unknown, who had not intervened in political strife and the revolutionary movement in Spain: then it is as if we choose any one case from the masses of the trials held in our Courts, in order to discover what liability an unknown, anonymous person has. (Here! Here).

But to those who call up what Ferrer Guardia appeared to be, those who call upon the opinion of Europe, alarmed because she thought that we had sacrificed a great intellectual, only because of his ideas, and not because of his deeds and lawless acts, to these we ought to offer the study of this trial, and with it of all his other antecedents. To these, I say, because I wish to do them the justice that they dispute with honesty, if they come here engaged only on Revolutionary propaganda, what does it matter to us? (Approbation in conservative minority—protests in republican minority).

I have indicated before, gentlemen, that in my judgement, this Chamber has no right to be doing that which it is doing.

Irregular examination of the Trial.

I have said that we, Deputies of the Nation, cannot examine this trial as if we wore the Barrister's Gown in a Court of Law, and had charge there of either public or private interests. I say that we are not capable, that it is an enormous injustice to substitute ourselves for the conscience and jud-

gement of the Judges; for you now see the result. The result is that first one illustrious orator, afterwards another illustrious orator—many illustrious orators, pick out of the trial that piece which he wants for the purpose of his reasoning—the point of view which suits his purpose—and he goes on to examine the witnesses one by one; sayng this one deserves to be laughed at, the other man was indicted himself, the other man, how is he to be believed? And the other—don't you see how he recognised him in the circle of the prisoners, and at the end of two months?—don't you see they are the same words?—don't you see, finally, that all this is insufficient to deliver judgement?..... To judge! And whom are you judging when you say this? For you are not judging Ferrer Guardia. You are judging the Tribunal which sentenced him: *(Applause in the Conservative minority.)* You are judging all authorities who were connected with, and sanctioned the sentence: You are judging them, and you want them to be condemned.

Naturally, who can rise and defend them on the same ground on which this dispute is taking place? Because it is clear that it is to say what is impossible, absurd, calumnious, criminal to think of, that a colonel and six officers of the Spanish Army would be capable of lending themselves to the vengeance of a Government, to the absolute infamy of a Government, which wished them to commit an injustice; to say that all this is impossible, I think that all we who are seated here are capable; nay more, I believe we are all under the obligation to say it.

But to enter into the examination ot all these proofs, and contradict this, and demonstrate that the state of conscience of the judges is opposed to that; who is going to do that? Is it to be His Majesty's Government, which is going to amuse itself by penetrating all the pages of the trial; which is going to turn itself here into a defender or council for the prosecution, against another defender or prosecutor? Did you ever see anything so absurd? Well that is what is being done.

But it is being done, gentlemen, as I said before, under circumstances in which the havoc may be final. Because these speeches go forth from this Chamber and are propagated and diffused, and there are many newspapers which supply them literally to the public, and an affair is being dealt with by which passions can easily become aroused, and on ignited passions these brands are being flung. What must happen, gentlemen, when there are so many people who feel themselves without defense, who cannot come here and defend themselves, who cannot have legitimate representation and adequate means of defence?

Finally, if it would have been only confined to personal imputations against ourselves, if some of that which has beautified a good part of the eloquent speeches to which I refer, had been directed solely against me; for it is clear that I have for some time past being the target of all these attacks and furies; I do not say it in complaint, in vain glory, or in a boasting and bragging spirit, for that I never have had; it would have been a great honour for us; but if they had dealt only in this manner, the harm of which I spoke, the difficulties and injuries to which I have referred, would not be of importance, or would at least be small. First we are political men, we can defend ourselves, I hope we would know how to defend ourselves, and we do know how to defend ourselves on the part where we are touched. But the other thing, what are we to do in respect to that?

We formed a government which found itself confronted by a revolutionary movement, under circumstances which I have already explained, and I will do no more than recall them to your memory. In those circumstances, and confronted by a revolutionary movement, we, who had sworn to defend the Monarchy and Public Order, defended them.

That is well. It is for our acts that they judge, that they attack us. But then the Courts of Justice were at work, and at work with such freedom, gentlemen, such entire absence of influence on the part of the Governing Power,

that no one can say to the contrary. It is necessary to say this to those revolutionaries who have not once spoken; for why should they to speak of the gravety of the events in Barcelona? for why should they to speak of the incendiarism in Barcelona, of the sackings, the assassinations, of the attacks on Public Forces? No, that they leave to History; now they must attack men who fulfill their duty.

I say, is this a revolutationary deed? Then it is your business. For my part it seems very natural. You are here, with full use of the public tribune, why should you not attack us? Should you not do so you would not be anything. The only thing that appears to me is that you are somewhat too ingenuous when you say that on the day when we come into power—in particular two persons—the revolution will start. You are very ingenuous. Why do you tell us this? Because if a revolution is what you are looking for, you ought to be happy when you get it. (Laughter. Sr. Soriano said something which were not clearly heard, the president rang the the bell for order.)

The defence of the Military Tribunal.

But I said that on entering into the discussion of this trial, and doing so in the manner in which it is being done, we would find ourselves in a truly diffiicult position; because are we to defend, are we to consider ourselves under the obligation to defend especially, singularly, a Military Tribunal, to defend the authorities who have taken part in this trial? And is not this obligation a general, a comon one becoming to all His Majesty's Governments? For it is obvious that Spanish Courts are neither conservative nor liberal, and when a Government leaves this Bench, the Courts do not go with it; the Courts are always the same.

Owing to this, when this debate was begun, we could do no less than wait to hear what His Majesty's Government had to say. We never thought that the scheme of recrimination

and accusation directed against us could be accepted by the Government which is now seated on that Bench; that, no: nor can we dispute with His Majesty's Government the front rank in the defence of law, in the defence of the honour, of the rightousness of that Tribunal. (Here! Here!)

But there is one singular thing, and that is that when this trial is discussed and analysed here, in spite of the precaution I took, that we took, and which you accepted, in printing this trial, there still appear in it things which are at variance with the trial itself. Our care has been of no use to us, although I imagine that if we had not taken the trouble to print it, and the original proceedings in the difficult writing of the Court had merely been placed upon the table or in the Secretary's office, in these moments no one would know anything about it. And when this happens, and when the unfaithful account of the facts goes out from here, and the facts are thus distorted, what is to be done? And I think that His Majesty's Government, although having the whole of the trial here, although being able to study it like us, as I have said, cannot enter into such a minute examination of it. The minister of Grace and Justice firstly, the Prime Minister afterwards, and this afternoon the Minister of Government, (*) have spoken in general terms, in the form which corresponds to the nature of the trial, in terms which correspond to their duties, the which I do not judge now; though after all duties such as those are easily understood; but all these other things still remain floating in the atmos phere; but there remain afoot all these alterations, these absolute alterations of the trial which produce their harm outside; a false opinion is formed; the legend is assisted to grow; and when there are such vast numbers of people who spread this opinion, who contribute to the legend, and who augment the lie, it fills my soul with terror that all this should continue to grow; and thus it is that I, who did not think it necesary to speak until later, speak now, because I think that

(*) Home Secretary

I ought to help to rectify inexact facts as far as I am able, in order that they may know outside that all that which has been served up to them in long and eloquent prose is not entirely in accordance either with truth, or reality. (Approbation in the conservative minority.)

The Authors of the Legend.

But, gentlemen, as I have already said several times, there is no other thing in this case. What if foreign countries have not only an enormous facilty for grasping at, but also for inventing lies and legends concerning our Country! Although I am accustomed to hear that this only happens when there is a reactionary clerical Power in Government; such as that to which I had the honour to belong; although it appears to me that there is not now a Government which would merit that appelation, the same thing occurs, as it occured before! But it is certain that legends concerning Spain have been following each other not now for years, but for centuries. All this evil produced abroad, which has its origin in our History, is to be regreted, is to be removed by our patriotic solicitude, but it is more sad when all these lies and legends should be made use of by Spaniards iu our country, and should be defended from time to time by Spaniards, and by Spaniards who occupy exalted intellectual positions. That is what is sad, and I speak now of this because this summer there was published a book, which not only has done harm abroad, but also has done injury in our Country, and has even arrived with ruin and havoc within the doors of this Chamber.

I refer, for I have no reason to hide it, to Dr. Simarro's book. A book, gentlemen, which because it has had readers in this House, and because it has served as a text, so it appears to me, for some of those who have spoken, deserves that I should devote a few words to it, words which will not be unfruitful for those who contemplate the spectacle of a professor of the Central University, who has not hesitated to

write this book, and has not hesitated to found himself upon it for the purpose of foreign propaganda, and to assist, as he did last summer, at the manifestation in Brussels which was held by the congress of Free Thinkers, in order to raise up the celebrated tablet in the Town Hall, and to pronounce á discourse in which he spoke of the shame which the Ferrer trial had brought upon our Country.

It will not be unfruitful, gentlemen, that we should consider how such an illustrious person, a person of such high intellectuality, who in union with Soledad Villafranca presided at the sessions of this congress, wrote this book which is puffed out with lies: a book, gentlemen, we must speak with absolute clearness. which was published last summer after the trials had delivered their verdicts equally as regards that brought against Ferrer as with the general enquiry hold on account of the events in Barcelona, and its author surely had the means of research offered by those who were tried themselves, or by the briefs of these engaged in the defence, and, I believe, even of the Military Judicial Authorities themselves, to know these trials, nothwithstanding, this work, diffused throughout Spain was founded on the articles of the newspapers. And on what newspapers! In order to speak of the general enquiry held as to the events in Barcelona, he takes the articles of *El Progreso* of Barcelona; in order to speak of my actions, he takes the articles of *España Nueva* as his text. (Laughter, and murmurs—Sr. Soriano: And *La Epoca.*) The Señores Diputados will understand, and I make exception of no one, that when I am speaking of these things I have not the most minute interests of any class at heart. What I say is this, that it has been found possible to write a book like this in Spain; in which it is established as a first principle that Ferrer was a man totally removed fron political life since 1901, that he had not interested himself in any way in political strife, nor in the revolutionary movements of this Country. And to prove this, what does he call upon—Spanish testimony? No:

what is said in England; what is said in France; what is said in Belgium: just as on some occasions we have heard an orator calling upon the newspaper *La Raggione* of Rome in order to justify something of a like nature; a newspaper which is of course greatly informed as to whatever passes in the interior of our Country! (Laughter.)

Well this illustrious professor dedicates long chapters to shew with the aid of these foregoing proofs that Ferrer was not a revolutionary character, that Ferrer was completely removed from political life; and then afterwards indites further long chapters to shew that Ferrer was not pointed out either directly or indirectly—the thesis of Sr. Alvarez—until many days after the occurences of July; that no one—not a single person in authority—absolutely no one—had interested himself in the doings of Ferrer: and more than this, he goes on to reason in order to show that until Reaction, in the person of that most worthy prosecuting Council of the Supreme Court—Sr. Ugarte—arrived, dedicated to Social Defence, no one had given a thought as to the responsibility of Ferrer: but that then the clerical claws seized upon that apostle of intellectual renaissance. And this a Spaniard! And this a professor of the Central University!

But there is something more—and with this I finish—and pardon me, gentlemen, but this assists me in the debate—there is something more. This professor, by the aid of his newspaper references, draws the conclusion that Ferrer Guardia was not prosecuted by the Military Authority because there would have arisen certain charges in the indictment—what do you think he concludes, and he puts it to the intellectuals of Europe?—well he supposes that the warrant for the prosecution was made on the order of the Captain General of Barcelona, who in his turn received his instructions—from whom? From us. From Sr. Maura and myself; because it is also clear that Doctor Simarro speaks exclusively of señor Maura and me.

Is it necessary that I explain, Gentlemen, after you have

heard so much, that Ferrer Gaardia was equally proceeded against by Military Authority as by Civil Authority, namely by the judge of Mataró, for there were charges on the indictment which were drawn up without the slightest intervention either of the Captain General or any other authority? This then is the argument of Dr. Simarro's book; and all this has helped the formation of European opinion. I will say nothing of the disdain with which he speaks of others; of his other enormous injustices; I will say nothing of his allusions, which include even His Majesty. One sad consideration is sufficient for me, gentlemen, and that is that todays Gazette publishes the following. «Illustrious Señor: In conformity with the suggestion of the Board, in order to amplify scientific study and research H. M. the King (whom God Preserve) has had the graciousness to nominate Dr. Luis Simarro y Lacabra and Don Jose Ortega y Gasset to be the delegates of the Spanish Government at the Congress of Philosophy, which is to be held in Bologna in the coming April, with the honorarium of 1.750 pesetas each, etc., etc.» (Loud and prolonged protests. Applause in the conservative minority).

And this is the representative whom His Majesty's Government is to have at the Congress of Philosophy in Bologna; and when it is said that many foreign cities have called a street after Ferrer; when they speak of the memorial tablets which have been raised; when it is remembered what is said in some immortal city in respect to those events; this has such a significance that I can do no more than point it out, present it to you, and leave it. Judge it for yourselves. What if this sort of thing happens in Spain itself. Ah! How can we be surprised if now we meet the terrible revolutionary more often in the drawing-rooms of ministers, in public positions, than preparing revolution behind the barricade. (Murmurs of protest in the Majority.)

I do not want any one to understand that with this I oppose my policy to the policy of the Liberal Government (Protests continue). May the Prime Minister pardon me, but

I think I have the right to do so; but I tell your Honour: I tell the whole House, that I am speaking of a thing which I consider above every issue, a thing which is an entire political and social condition against which I have been fighting and have fought. It is a thing, I wish to say, which has been done by all political parties for a long time past, and which continues to be done, a policy the fruit of which we are plucking now; that is what I am loyally bound to say. (Protests continue.)

Inexactitudes and Perversions.

Gentlemen, I, feel myself te be abusing your patience; I must fulfill my offer, and point out not all, for that would be impossible, — point out in order that thay may remain chronicled in the Diary, of the Sessions—some of those inexactitudes, some of those equivocations, to which I have referred, and which I was able to declare to Sr. Alvarez in an interruption. I do not wish to allow myself te make an extensive rectification to any one orater; but thus for example, when outside of here they read that a defendig council had twenty four hours in which to examine matter which went to the printing of eight volumnes, thay will not be able to explain by whay miracle he was able to do so; but what really this defending council, and what the Court Martial had to examine and know is not more than the contents of one printed volume; but they have spoken as if the whole eight volumes had to be considered. (Murmurs. Sr. Soriano: that was not said—it is inexact—I will prove it to your Hunour. 1200 pages were mentioned). Each printed volume contains 495 pages — (Sr. Soriano: I spoke of the folios, not of the pages of the volumes. Your Honour has not understood. — *Protests in Conservative minority)*. When this argument of the twenty-four hours, which the defender of Ferrer had in which to examine the whole case and prepare the defence, is emplo-

yed, it is forgotten that on the 2nd. of Oct all the charges of the prosecution were read in the presence of the prisoner, and, as is authorised by the military code, he took notes of all the charges, that he had the case before him for twenty-four hours, and that as the the Council was not held until the 9th. he had in all seven days. When they speak of this affair, they do not remember—but the minister of Grace an Justice remembered it very opportunely—that, according to military law, the defender can plead for an extension of time up to ten days, and he did not demand it.

When they say that the judge of Mataró prosecuted Ferrer on coming to the conclusion that there were signs of guilt of the crime of stirring up rebellion, and say that he only demanded 2.000 pesetas bail on remanding him the prison, they say a thing contrary to what appears in the trial itself; because the judge remanded him the prison without bail; the bail of 2.000 pesetas only referring te his civil responsibility. Is this a significant detail? This gentlemen is an error on their part, but with one error, and then with another, and another, there begins to form that fundamental error against which we ought te protest.

When they say that it is completely proved by summary of the days previons to July 26th, that Ferrer was not in Barcelona, they pass over the fact that on page 80 of this trial their appears the deposition of inspector Carbonell, who says he saw him on the nights of the 23rd. and 24th. of July in Barcelona. Yet they say as a positive fact that no one, absolutely no one, said in the trial that Ferrer was there before the 26th. I do not now speak of other days further removed from the 26th., of these I will speak later: I speak of those inmediate to the 26th.

When it is resolutely affirmed by one orator that Ferrer was not in Casa del Pueblo on the 26th. it is clear that that was forgotten; that I was not to know what Sr. Salillas was going to say today; it is clear that it was forgotten that in the confrontation which took place between Ferrer and Ardid,

who is the individual who said that he was speaking with him in Casa del Pueblo on the 26th, Ferrer made no denial and said: «I did not remember it; but since this gentleman affirms it, it is may be true», this is not mentioned, and for exportation there is a round denial. *(Murmurs)*.

When one reads in the Diary of the Sessions that the distance from Barcelona to Mongat is 45 kilometres (Sr. Soriano pronounced some words which were inaudible). It is so stated in the Diary of the Sessions; I have proved it (Sr. Soriano: the distance is 15 kilometres). The matter is cleared up now: but in the Diary of the Sessions it is stated entirely to the contrary, and I wish to draw attention to what we have just heard, namely that there are not more than 15 kilometres between Barcelona and Mongat (Loud murmurs in the republican minority. Sr. Saenz de Quejana: We listened to you for three afternoons). When the deposition of Sr. Colldeforns is spoken of, and be is stained as being false; one of the things which one orator has said, and it has been read here profusely, a thing also which Doctor Simarro has published, was that it was impossible for seditious groups to wander about the Ramblas on the afternoon of the 27 th. July, because the Captain General had published an edict saying that any groups, or individuals, found on the public roads would be fired on withont previons warning; but this edict was published on the 28 th. (Sr. Soriano. well, and what?) well one orator affirmed that what the witness said concerning the 27 th. was false because this edict had been published; and that is not true.

When it is said, and repeated, that the auditor General of Barcelona recognised in the General enquiry into the events of July that it was not possible to discover the directors or instigators of the affair, and this is held up as a contradiction to the sentence passed on Ferrer, which attributed the character of chief to him, the following is omitted: «and the lamentable concurrence of a multitude of circumstances which it is not to the point to enumerate, *as well as the fact*

hat most important facts derived from these proceedings have been cleared up in the separate trials, etc.»

So that that auditor, in the general enquiry, did not contradict what was resolved and adjudicated in the separate trial which was formed to try Ferrer.

In Answer to Sr. Alvarez's Speech.

I pass now to some corrections which I wish to make to Sr. Alvarez; Sr. Alvarez, whose great eloquence has placed itself at the service of this cause, the which I much regret, because I think his Honour ought to employ the strong powers with which God has endowed him in a more just cause; Sr. Alvarez, with his vibrant, insinuating, and suggestive words, has given here the key-note of the protest and accusation; Sr. Alvarez commenced by saying that he had believed in the guiltiness of Ferrer. And so it ought to have been, because how otherwise can be explained the silence of Sr. Alvarez—a person so eminent in politics—when that trial was taking place, and that sentence was fulfilled, without one protest, without one remonstrance, without one petition for pardon; and is Sr. Alvarez now accusing as of not having counselled the exercise of that mercy? *(Murmurs.)*

The ordinary citizen, the obscure man hidden in his province, would not have to explain such an omission; but señor Alvarez, who has criticised spanish politics so often, and with such just motives, who, owing to circumstances of which everybody knows, has so much influenced monarchical politics; *(murmurs)* for Sr. Alvarez to accuse us now, and to have kept silence then in the face of all that, requires some explanation. The Prime Minister was quite right when he said that that had not been discussed; the Prime Minister himself did not discuss it, but his Honour himself did not touch upon it.

Sr. Alvarez said that hearing his comrades accuse him of

disloyalty, and all saying that Ferrer was innocent; that his how his Honour expresses it; and after examining the trial with minute care, he came to that conclusion which he has echoed here. And at what time did Sr. Alvarez say this? At what time did his Honour say that all his comrades reputed Ferrer to be innocent? Did not his Honour read *El Progreso* and *El Radical* of Madrid in those days? Because I am not of that convention, allow me so to phrase it, and I read them, and I informed myself of many things which the Chamber is going to hear.

For most admirable instruction is to be found in all these trials; in the general enquiry into the events in Barcelona, the publication of which I demanded, there is a lively text, a text which I believe will become history, in respect to the character which our revolutionaries have today, that singular character which allows them to speak a variety of languages, and say one thing in some places, and another thing somewhere else, to speak according to circumtances and their audience;—and that is how they live! (Sr. Lerroux: and according to the listner). It is clear we reach the limit of all this, this afternoon, for Sr. Salillas, for whom I have much respect on account of his honesty and intellectuality, Sr. Salillas has repeated today what he had said before; that in his opinion Ferrer was unjustifiably absolved in the calle Mayor affair (*Protests.*) He said, owing to reasons of cowardice, that is the same as to say unjustifiable. Why should cowardice exist in a Tribunal of Judgment?

Emiliano Iglesias denied Ferrer.

Very well, putting that on one side; Sr. Salillas revealed to us this afternoon—what? He revealed to us the whole stratagem of those who kept quiet then owing to belief in Ferrer's guilt, and now defend him supposing an iniquity was to have been committed; he revealed to us that the all this is merely craft, because the whole trial has turned to a

great extent on the point as to whether Ferrer was in Casa del Pueblo on one or two occasions, if he was in *El Progreso* on one or two occasions, and whether be saw Emiliano Iglesias on one or more occasions. Extensive research have been made as to this. Copious works have been written, both inside and outside Spain about Ferrer's denials, and now señor Salillas rises up, and says he was in Casa del Pueblo twice (Sr. Salillas: once) and in *El Progreso* twice. (Sr. Salillas: twice.) Very well, now you see gentlemen, (Sr. Soriano prononuced some words which were inaudible). In this general inquiry there is something which I think I must pick ont, but I do so with no desire to aggravate anyone. Do you not remember those discussions of June?

Do you not remember how Emiliano Iglesias turned against the Auditor Señor Pastor, because he said in his information that he had prepared the alibi like a good lawyer, and that thanks to this he had escaped the ends of justice? Do you not remember how he accused Ramón Pastor? Do you not remember the words he prononuced were such that the Minister of War was led to protest against them? and now it happens that Emiliano Iglesias appears at the very outset of these proceedings and says «But why do you prosecute me? If I reprove all that has occurred; if it be execrable; if I am not of them; if I have censured the whole thing; if I am not a reporter of *El Progreso* (and he was Director, but never so much as proclaimed himself reporter); if I do not write in *El Progreso:* if I were present at a meeting a few days previous to the 28 July in which the occurrences were initiated; and because I declared therein that the movement was unjust, that the protest was delayed; because such was the state of affairs that the was no Government — however radical — which would have done otherwise than the Government was doing (the Government of whom? of Señor Maura); for having said all of which I received no further invitations to a meeting, and attended none»,

If is clear that the report of the delegate present at that

meeting in the Casa del Pueblo figures in the case and according to this report Emiliano Iglesias said the contrary, but finally admitted the above in his deposition. And later he said that with those Damas Rojas, concerning whom be was questioned, he had no relation whatever, and considered their Association ridiculous. Regarding the Casa del Pueblo, he claimed to have hardly gone there, since it was in the hands of four interferers. And then be speaks of the manner in which hé passed his time; and explains that he was in the Town Hall, and that be was at home ill, etc. etc. Also he declares, and repeats that in reality be was co-operating with the Authorities, for when they ordered Casa del Pueblo to be evacuated he used his aid to that end (Señor Lerroux: But did he declare so as witness or as defendant?) As defendant—and not on oath.

Yes I give him justice! (Laughter) I say that Emiliano Iglesias—second to Señor Lerroux—who as I judge must have pronounced hundreds of eminently revolutionary discourses, who asked the people of Barcelona for thair electoral support, reminding them that he took part in the revolution and stood in the barricades; Señor Iglesias before the military judge and before the Military Tribunal, said all this, nor did be refrain from reading the following—«asked whether he remembered if upon the evening mentioned (the 26 th) Francisco Ferrer Guardia was there (in *El Progreso*) and if he spoke with him, he said he did not know if the said gentleman was there, and that it was not certain that he spoke of him; for it was a long time since be had seen Ferrer, apart from the fact that for a long time their relations had been hostile to such an extent that when he was acting as Editor in chief of *El Progreso* (which he was not doing then, because afterwards the real director came forward and said that he was, though this a detail) the sub-editor, Jimenez Moya published some articles, by his orders, repudiating the books of the Escuela Moderna, of which Ferrer was the founder and director; and further in the month of March or april

the Administrator of the paper, Francisco Rivas, by order of Emiliano Iglesias published a pamphlet directed against Ferrer, accusing him of supplying the Societies of Resistence with funds to be used in ferociously fighting him personally: and that Inspector Tressols was aware of this antagonism, and to him details, that he requested concerning the operations of the Syndicate, were furnished.

Señor D. Pablo Iglesias: The confident of the Police was Emiliano Iglesias.

And now I have to inform Señor Alvarez, anticipating something of what I shall say later, that when he speaks of the omission of favourable points in the separate indictment regarding Ferrer, and of the mutilation of the indictment, and of the deposition made on the 10 th. September, when Ferrer was already in custody—citing him as the provider of funds to the Societies of Resistence a matter of great importance in the case—did not go into the separate indictment; I say this on account of the supposition that it was solely intended to include the charges in the separate indictment to the exclusion of the exculpations, but this was a charge and yet it did not appear, and the depositions made by Emiliano Iglesias in the particular indictment on this point were more extenuating, since Ferrer was not mentioned with respect to the supply of funds.

El Progreso of 20 January of this year published a speech by Emiliano Iglesias, which speech declared the innocence of Ferrer, and that he did intervene at all. Now hear this paragraph: «I can assure you that the Socialists, in the publication of El Progreso, refused to treat with Ferrer, and that the anarchists confessed to us that they had no power to take action. I ask then—if these, on account of cowardice, and the others for lack of means did nothing—who but the Radical Party carried through the glorions days of July? But there are later writings. The same journal, the organ of Sr. Lerroux, on the 26 th of this month published an article entitled «Revisional Campaign». It is evident that for the

claiming of the revisión of a case, the best precedent is to say that he was indeed guilty.

The declarations of Emiliano Iglesias are undergoing analisis in El Progreso, and there is a heading which reads. «What Emiliano Iglesias did not say».—«To the second question put him, Iglesias replied that he had not seen Ferrer for about nine months»; well then during the glorious week he saw him and spoke with him upon two or three separate occasions. in the offices of El Progreso, in his house and elsewhere. Ferrer, when denying this, had confidence in Iglesias, and was not mistaken.» (Laugheter). And Sr. Collderforns, correspondent of *El Siglo Futuro*, lied in saying that he saw him on the 27 th, since Ferrer, according to those who say the sentence was unjust, arrived at Mongat in the early morning of that day, and remained there in hiding until his arrest without returning to Barcelona. And now Emiliano Iglesias himself confesses (he surely will not repudiate these lines) all that the señores diputados have just heard, (Sres. Miró, Iglesias and Ambrosio request a hearing) that during the glorious week—not upon the 26 th—he saw him, and spoke to him upon three separate occasions, and in three distinct places. «But there is more. he was able to say to the third question that the intervention of Ferrer in the movement was like that of other persons, namely without the character of chief—not even partial». Ah! then he did intervene in the movement! And yet calls himself innocent! And Sr. Salillas makes those outbursts of this afternoon! Why the organs of his own party declare that he intervened in the movement! (Sres. Iglesias y Ambrosio: He intervened, as did others—as did all in Barcelona). (Loud protests). «And now there comes the final question, aimed at combating Emiliano Iglesias politically. The latter was not ignorant of the relationship between Ferrer and certain individuals of the Solidaridad Obrera, and he hid his knowledge, taking advantage of the question in order to repeat that the said society could sustain no relations with him in view of the violent

polémics remembered by all, and the things he had said regarding the money spent by Solidaridad Obrera. In no wise did he refer to Ferrer, but to the polemics; and this has been repeated to infinity in El Progreso». And it concludes: «It is unworthy to distort conceptions in order to fight an adversary. For many reasons Emiliano Iglesias could not accuse Ferrer, because it was not possible for him to betray an honourably maintained friendship, (murmurs) because he had been defending lawyer in the Morral case, and because, in compromising Ferrer he must compromise himself. Is there anything more clear».

This «more clear» the article says. I do not say it. (Laughter).

Intervention of Ferrer in the movement.

Upon this point, Sr. Alvarez, I think I have commented: the circumstance of your Honour having heard your friends accuse one another of disloyalty, althongh all proclaimed the innocence of Ferrer. Your Honour will now see what that may signify. (Sr. Alvarez: This is on my account?) On account of your speech. Because your Honour said you had heard many of your friends in minority impute disloyalties to one another, but all protest the innocence of Ferrer as an element of judgment upon your Honour, in order that you might have a consciousnes of his innocence, and I now present to your honour the testimonies of some of your friends. (Sr. Lerroux: That does not prove culpability sufficient for him to have been shot) Sr. Alvarez said he did not wish to enter into the minute proof; that he did not wish to make a minute analysis of the proofs of the case; that he would proceed by way of broad synthesis.

Where is it? I do not find this synthesis announced by your Honour. what I found in your speech is minute and complex analysis: for your Honour has taken this witness, and that enquiry, and this attestation, and studied them par-

tially, presenting their deficiencies; but the synthesis of the proofs, the details of the proof, the personality of Ferrer, all the interconection of the major points, which are the vital points —of all this your Honour could have presented a synthesis—and that you have not done.

Your Honour remarked that in the general case there figured several anonymous writings; it is a theme for a democrat; and your Honour presented to open opinion the fact that the evidence of anonymous writings was permitted to influence the definite judgment; that is a mere flourish. But, Sr. Alvarez, it happens that to day Sr. Salillas complains that an anonymous writing to be found in the general case was not transferred to the particular one. It seems he liked the anonymous documents. But in the separate trial of Ferrer there was no anonymous writing taken from the general trial. (Sr. Alvarez: Neither did I say there was). Then if your Honour spoke of Ferrer, and of the Ferrer case, why did your Honour speak of anonymous persons? (Sr. Alvarez: Because they took part in the general case.) (Sr. Maura y Montaner: That is the worst thing your Honour could say; because thereby you gave people to understand the contrary of what was done.) (Conservative, applause.—Republican, protests.) (Sr. Alvarez: Your Honour cannot fathom my intentions. Allow me to tell you...)

The President: His Honour will rectify.

Sr. Alvarez (D. Melquiades): And I will rectify.

Sr. La Cierva: This—señores diputados—is an interesting theme, for all these trifles grow when they leave this Chamber. (Republican. protests. Several members speak together unintelligibly.) But see what a coincidence! Do you know who presented an anonymous writing, which he had received, to be united with this case, not with that of Ferrer, but the general enquiry? D. Emiliano Iglesias; and this is printed on page 88. (Murmurs. Señor Iglesias Ambrosio: As I was arrested, and saw that the anonymous things were relied upon... Owing to another and previous anonymous writer I myself

was arrested.) (Sr. Lerroux: If the military authority admitted some, it should have admitted others. Besides, it was an anonymous person who had nothing to do with Ferrer.) Sr. Alvarez said, in one of the most brilliant passages of his speech —if one could be more brilliant than another— «During many days, the case having reached 300 odd folios, nobody absolutely nobody, you understand (and he made the repetiton that we might fully understand), suggested Ferrer; nobody spoke of Ferrer neither directly nor indirectly, neither authorities nor anyone!» This is precisely one of the arguments of Doctor Simarro. When so much has been said of our deviation from the real facts; of our complete lack of all knowledge; of the fact that neither the Civil Governor, nor I, as Minister of Government, had suspected there could be any uprising in Barcelona, nor had become aware of its initiation, nor of its progress, nor of the identity of its leaders: all this stands against that sentence which declares Ferrer to have been the chief. But is it true that nobody had implicated Ferrer? Sr. Alvarez, how could your Honour have spoken of your digestion of the entire case (laughter), having digested it without observing all that I am going to mention to you and to the Chamber. For this very day Sr. Salillas has rectified you.

Now on the 3 rd. of August; (later I shall speak of other and anterior matters), on the 3 rd. of August there was a comunication from the lieutenant of carabineros of Premiá de Mar in which Ferrer was indicated as having taken part in the movement. But upon the 29 th. of July, that is to say when the troops were already fighting in the streets, with the revolutionaries when, as is natural, the military tribunals were barely able to act (for there must be borne in mind the condition of that City and the scarcity of troops in order to understand that the re-establishment of public order was of greater urgency than the normal working of the military tribunals, and for this reason the investigation was delayed).

The chief of Police of Barcelona (page. 21 of the printed

trial to which I refer in preference to the legal manuscripts, in order that they may be compared), made a deposition before the military judge, and when speaking of the antecedents of the revolutionary element of Barcelona, one of the things he said, was that Francisco Ferrer had intimate relations with the anarchical element of Barcelona, and that by coincidence, casual or not. Ferrer Guardia had been in Barcelona upon the day of the riots or those immediate to it. Coincidence, casual or not! He spoke already of intimate relations with the anarchical element, and inculpated the anarchical element as one of the principle elements in those riots. Is not that an inculpation of Ferrer? (Sr. Soriano said some words which were inaudible, and the Sr. President rang the bell for order.)

There is more. In this memorial, formed of the investigations of several inspectors of Barcelona, which was incorporated on the 6 th. of August with the general legal manuscripts, in this memorial the journeys of Ferrer Guardia to Barcelona during the month of July are minutely referred to, and also Ferrer's stay with Soledad Villafranca during a few days in a Barcelona hotel; the movements of Ferrer are noted and their signification in relation with the riots is accentuated. Is it clear to the señores diputados that the Chief of Police of Barcelona had already remarked him since the 29 th. of July the movement having been iniciated on the 26 th. of July; upon the 3 rd. of August a lieutenant of the Carabineros of Premiá de Mar said the same thing, and upon the 6 th. the suspicion that Ferrer was concerned in these riots was notified in the police memorial. Can all this be taken as an indication that it was only when it was intended to change the line of the investigations that we first thought of Ferrer? (Sr. Alvarez, made signs of negation.)

Well if that is not the signification of that brilliant paragraph of your Honour's, I do not understand it.

And when it is remarked that th 370 folios of investigations have been filled without result, this detail is forgotten; but in addition it is forgotten that the greater part of those

370 folios were composed of lists of the managing committees of republican and anarchical societies, with the searches, and compulsory closings of certain establishments; and the greater part of those folios do not contain other matter; so it follows that there are no substantial investigations in them, and that therefore it cannot be said that the investigations were pursued without Ferrer Guardia making his appearance anywhere. (Applause in the Conservative minority). This is what I wish to establish.

His Honour señor Alvarez spoke of the fact that Ferrer was indicted in the judicial circuit of Mataró on the supposition that he had taken part in the crime of preparing for rebellion, and that he was indicted by military jurisdiction for the crime of having instigated to rebellion, and his Honour, an eminent jurist, spoke of this in order to say that that legal qualification was very distinct and different from the one which prevailed at the sentence. Can his Honour have forgotten that *instigator* to rebellion according to the penal laws applicable in this case, means *author* of the crime of rebellion?

Can his Honour deny that the Common Code has to be considered in order to dertermine the responsibility of the authors, accomplices, and concealers of the crimes which are punishable under the military Code of Justice? Does his Honour admit it? Then how is it that his Honour has forgotten that Art 13 of the Common Penal Code considers him as author of the crime who directly persuades another to commit it? (Aplause. Very Good! Very Good!)

It was by chance that to say that the military authorities only found signs of an unimportant crime, and for such an eminent consulting-jurist to say so, and that to recognise that the crime was one of instigation to rebellion, was to contribute to all that legend, and to give people, to think-people who do not know the law, and they are in the majority-thatneither the judge of Mataró nor the military judge found more than the very slightest signo of guilt in Ferrer.

There are no apocrifal documents.

His Honour then said a thing which did not pass beyond an assertion, and which he did not try to prove. His Honour stated that at the time when we enforced the anticipated censorship we consented to the publication of donbtful documents, when he was saying that we tolerated a biassed campaign to be made in «La Prensa» which created an atmosphere that exercised a real suggestion on the military Tribunal; on that occasion; he spoke of doubtful documents; and afterwards did not return to the subject.

Which were these doubtful documents?

For when this is read outside of here, they will hold it as certain that a man of the respectability of his Honour could not say such a thing without being convinced, and having the proof to hand that they really were doubtful; and his Honour. I repeat, did not shew, or attempt to shew that any one of the publised documents was doubtful. What his Honour did was to say that Ferrer did not recognise as his some circulars which were published in the Press, but from this to say that they were doubtful appears to me to be somewhat different, Sr. Alvarez. And those documents were discovered on those 50 files which were found in Mas Germinal, filled nearly all of them with letters and papers which cannot be rejected in any way, which were in part recognised by Ferrer hunself; and on one of those files, which I believe was number 7, and which was numbered like all the others by a vigorous stroke in blue pencil written by the same hand; on that file there appeared not only those circulars, which from the contents ought to have been of the year 1899, because they spoke of The National Union and analagous things, but also there were found those manifestos of the Congress of Freethinkers of the year 1892, which, owing to an interruption of Sr. Canals', his Honour had to admit yesterday afternoon Ferrer reconised as authentic: Well

those documents were next to them; Ferrer Guardia did not recognise them, but the experts say that some corrections appear to be made in his hand writing: and the señores diputados shall know that one copy of those circulars was found typewritten with manuscript corrections which the experts say appear to them to be in Ferrer's handwriting, and there was also another copy printed from this rough draft. That was found there. I cannot deny that Ferrer did not recognise them; but I have the right to say that until they are proved to be doubtful, his Honour had no right to say so. His Honour had no right to have it chronicled in the Diary of the Sessions in order that the legend can run round afresh that Ferrer was condemned by means of doubtful documents.

Conduct of the Captain General of Cataluña.

Sr. Alvarez then entered upon the most serious period of his argument.

It was that in which he pointed out the Capitain General of Cataluña as moved by evil passions, and, above all, as lacking just impartiality. Those were his words.

The minister of Grace and Justice fitly and eloquently answered his Honour before, when he shewed that the act, on which his honour founded the partialitey oi the Captain General, was not an arbitary thing of that Authority, but obligatory; that act was the digest of the documents and the formation of the separate indictment for the trial of Ferrer. It is clear, his Honour found that comunication the first (it is not difficult to find, for it is the first to be met with when the trial is opened), in which that most honorable Authority told his auditor, after Ferrer had been arrested, to tell him what legal means there existed to be able to demand rapidly the responsibility which Ferrer Guardia would have incurred. As Sr. Salillas said today, there already lies the proof that there had been prejudgement, that the purpose had been resolved, upon, decided, to make the whole responsibility of

the affairs of July fall upon the shouldiers of Ferrer Guardia; there lies the proof of the partiality of the Captain General.

And why? Is not the Captain General the judicial authority who has to see that the laws are fulfilled, and how is such an Authority to fulfil them? And was it an insolite case, that because the Captain General ordered the hurrying on of the trial of Ferrer, was it an indication that that Government systematically persecuted Ferrer Guardia although he might be innocent? Let us speak with perfect clearness, gentlemen.

When it is imputed to us, that we were anxiously searching for Ferrer Guardia; when my telegrams are remembered, ordering the investigation of what letters, what telegraphic correspondance, in what place Ferrer was to be found; when I ordered searches to be made in Mas Germinal, was I failing in my duty? Did I shew the bastard passion of which you accuse us more or less occultly? Well, what was Ferrer Guardia? In what situation was he found, and what were the duties of a Government in respect to him? Ferrer was a man indicted by a military authority, under a warrant ordering him to present himself before a military tribunal, with orders to all the authorities to proceed to his capture. And under what conditions? And when? Well, it was on the 16th of August when the indictment was decreed.

Do you believe, señores diputados, that at that time public order was completely assured in Spain? Can anyone believe, who remembers what took place then, that new alterations in public order could not disturb the preoccupation of that Government? For I have to tell you, that in the Ministry of Government, there was a multitude of data and proofs which shew that after the events of July, a fresh attempt was made to repeat them; and menaces of alteration in public order on the part of those who took flight when tranquility was re-established in Barcelona, still continued to reach the Government of that time; and you remember, how the actual Government and actual Prime

Minister, told us here what those fugitives on the frontier tried to do. Those events were still quite recent. There were still fears of some catastrophe to our action in Africa; there were fears that some misfortune to our troups could make the spanish people rise up; make a part of the spanish people rise up—that part which had already striven to rise up against the war.

Many revolutionary parties still had these lamentable hopes, and the Government had to look after public order. It was then that Ferrer Guardia was found being indicted there; pointed out as author, or as implicated (at that time we could not say or know any thing else) in those events; Ferrer Guardia made himself evident by his own letters, or by those of his family, in the European newspapers, by interviews which London newspapers were the first to publish, afterwards newspapers of Paris, and later newspapers of Brussels; and nevertheless we had notice that Ferrer was not to be found in those places. We saw the whole revolutionary proceedings; we saw how the legend was already forming and going about Europe; we saw the letters of Soledad Villafranca presenting Ferrer as being persecuted by the reaction; and we saw how Ferrer, who had a bill maturing in the Barcelona branch of the Bank of Spain, although it was necessary for him to present himself in person in order to request it's renewal, did not do so, and so ran the risk of losing a considerable sum. Under those circumstances, gentlemen, was it not natural that the Minister of Government should do all in his power, firstly to fulfil the orders of the judicial authority which demanded the production of Ferrer Guardia, and secondly to avoid that a person, whom I supposed could have immensely influenced, and could influence, the renewal of those revolutionary events, should gain his ends? It was for this that I did it, and I cannot repent, and I have no weight whatever on my conscience.

So, after hiding for so long, after pretending that he was abroad, one day Ferrer Guardia; (at that time he went

shaved, completely shaved, so it is clear he was disguised) feigning to be an esperantist, with a letter prepared to that effect, and pretending that he was going to the Esperanto Congress which was about to be held in Barcelona, is arrested by the Somatén of Alella, and hides his name, and, when he is asked, said that he was coming from an amorous adventure: later he said that he was going to present himself to the Authorities. It was because his family had been expelled from Mongat a few days before, and when he lacked the help and protection of his family, which took care of him where he was hidden and at the same time diffused the supposed manœuvre of the Government throughout Europe, that Ferrer wished to take flight, and was arrested. And at that time, Gentlemen, the growing movement in favour of Ferrer which had been initiated outside Spain was such that we were obliged to take it into consideration.

You remember that in the first search which was made in Mas Germinal a letter written by Carlos Albert to Ferrer's brother was found, in which he said «we are anxious because we have no news of Francisco Ferrer. Give me some. We are ready to agitate opinion whenever it is necessary.» And a letter of Ferrer's afterwards appeared, and was published, in which he begged his friends in France to agitate opinion, in the same way as he had begged it from the Model Prison in November 1906, when he was implicated in the calle Mayor trial; at that time also he called upon France, begging that public opinion be stirred up. Always in foreign countries; in Spains never.

In such circumstances, is it to be wondered at that the Captain General should ask his auditor what means he had for hurriyng on the proceedings.

The Legality of the Separate Indictment.

But putting this on one side, his Honour concentrated himself on the legality of the indictment.—Illegality? His

Honour could not refute the arguments of the Minister for Grace and Justice on this point. His Honour founded himself solely on the interpretation of the text which says that it is necessary in order to form a separate indictment that the defendants be several and that the proofs be of a different nature; and his Honour understands that the disequality in the proofs consists in their quantity. (Sr. Alvarez pronunced some words which were inaudible.) Ah! Yes, so that which his Honour said about the number of the proofs gives way. (Sr. Alvarez: I did not say that.) Did your Honour speak of their gravity? Very well then, of their gravity; and I will tell your Honour that that is not what the text says; because if the text said what your Honour says, it would not have an explanation at all. In order to facilitate proceedings, and the text proposes nothing else, it is necessary that the proofs be of a dissimilar nature, that different acts be dealt with, and that they have different testification; and that is what the Minister for Grace and Justice says. And how are the proofs to be the same in respect to Emiliano Iglesias who was imputed to have been among the barricades, as in respect to Zurdo Olivares who was captured gun in hand, the same as in respect to the woman Ardiaca, and the same as in respect to other people who were tried, each one accused of different acts, as in respect to Ferrer who was pointed out for his interference in Premiá and Masnou by witnesses who did not speak of the others, and by proofs which referred exclusively to Ferrer? That is what the text says. That is the correct interpretation, and the one which was given in other cases, in the same trial; and that is what was done in many trials in Barcelona, but you speak of no one but Ferrer; and you suppose that to form a separate indictment was to the prejudice of Ferrer. Why? Is it because the others were absolved?

No: señor Alvarez; Your Honour said that Zurdo Olivares went walking about the streets of Barcelona, but your Honour forgot that be was condemned to perpetual confinement. Were they not all submitted to the same code, and to the

same tribunals? Is it that absolution was the monopoly of certain military tribunals? How can your Honour say so?

Impartiality of the Judges.

His Honour did a thing yesterday which I can only explain as a mistake, did I think otherwise, I would, with much sorrow, have to censure him. Do you remember, gentlemen, with how much brilliance and eloquence señor Alvarez spoke of the fact that Judge Raso, who took part in the case, published an edict calling only upon the witnesses against Ferrer, on those who had something to say against Ferrer, in order to draw the conclusion that this brutal Code (according to his honour) that these authorities, — in the event of their failing in their duties would be prevaricators — did not wish to discover disproofs of Ferrer's guilt, but only proofs? Do the señores diputados remember this? *(Murmurs of assent.)* Well listen: Judge Raso, on page 76 of the printed treal, calls upon «all those who have knowledge of the intervention of Ferrer in the events which have occurred in this region,» Does not this mean all? *(Murmurs in republican minority.)* (Señor Nougués: read the epigraph) I have nothing more here than the edict, the edict calls literally upon «all those who have knowledge of the intervention of Ferrer in the events which have taken place in this region», and can this be considered the same as to only call upon those who could depose against Ferrer? *(Here! Here! in conservative minority.)*

Does not this hair splitting about words in such delicate material as this, señor Alvarez, constitute a real danger.

When I entered the Chamber yesterday, although I hear with difficulty, I heard that some one said that his Honour had brought a bomb to the debate. I followed his Honour in the course of his peroration, waiting the whole time with natural fear for the bomb to appear. I supposed that I would

be touched by one of the splinters, and it appears to me that the bomb, to which his Honour's admirers referred (there are many and with good reason) was this: that there had been such partiality among those judges that they mutilated a police report when they placed it among the papers of the separate indictment, in order that a contradiction made by a vigilance officer might not appear. His Honour spoke of the report, which is to be found on pages 260 to 262 of Volume I; that is to say that the constable Bermejo, who had charge of the watching of Ferrer, according to his Honour, made a deposition in the separate indictment which was different to something the Police report said, and that the report was thereupon remitted to the separate indictment with that part, which concerned the constable Bermejo, mutilated. Presented thus, this had indeed the effect of a bomb.

But let us see what there is in this.

One is dealing with a very extensive report, of which I have spoken already I think when referring myself to señor Salillas, in which the office of the chief of Police unites all the abreviated reports of various constables, and treats of publications, newspapers, articles, etcétera; and when this report was put into the separate indictment a great part of it was omitted, not only that of Bermejo, but many other things as well; but as a fact Bermejós report was omitted in one part. The Superior Chief of Police says, that constable Bermejo declared that Ferrer Guardia was in Barcelona on the 26 th., and does not speak of the fact that he (Ferrer) went to the station in the afternoon, and that on seeing that the trains were not leaving for Mongat, left a box, which he was carrying, and which contained a womans dress, in the care of the station restaurant, and that he afterwards went by the ramblas to the hotel, where he not slept, and returned to Mongat on the following morning, accompanied by a person whose address he gave. This is the part which is omitted.

But let us see, señor Alvarez, if that is of any importance, and on what date it was done; because your Honour sur-

mises, that the constable made his deposition first, and the mutilation took place afterwards in order that the contradiction should not appear—(Sr. Alvarez made signals of dissent) —it is in the Diary of the Sessions; I have personally made note of it (Sr. Alvarez: No: Your honour is mistaken). First correction: the testimony was transferred to the separate indictment 22 nd September (this is proved on page 473), and constable Bermejo made his deposition on the 24 th. So that it was not mutilated because constable Bermejo deposed a different thing in the separate trial to that which he had told the chief of Police; because if there was any mutilation it was made previous to the deposition of the constable Bermejo.

That is what I want to shew. But, I repeat, is this of any importance?

Let us come to the point, because his Honour, after announcing that the was going to treat all this with great synthesis, the señores diputados now see how he occupied himself with the smallest and most minute observations and researches of the trial, and it is very important to know if all this really does prejudge Ferrer.

The señores diputados, are Going to see what is the result.

The result is, that when it is surmised that judge systematically rejected the witnesses for Ferrer's defence. and only accepted those for the prosecution, Ferrer deposed before the judge Raso in the separate trial, and declared what he did on the 26 th. of July: that he arrived at half-past eight in the morning; that he had interviews with the engraver; and he then made denial of having been to Casa del Pueblo or *El Progreso*, etc; he said that he went to the station; that he took the box containing the lady's dress; that he handed it into the charge of the restaurant, and returned to the hotel, that is the essential. But judge Raso immediatly after Ferrer's deposition (Ferrer quoted those who could substantiate it) took up his citatations—this judge who did not take

up the evidence for the defence!—(Sr. Alvarez: I did not say that he did not take up the citations; *Murmurs).* Who had the prejudgement of not taking up anything more than the charges. And as fact: Don Augustin Figarol, on page 67 of the trial, deposes that what Ferrer said was true. It is by chance that his Honour finds fault with the extraction of that proof favourable to Ferrer, which accredits him with having wanted to return to Mongat by the afternoon train, but was not able to do so because the trains had stopped running; that was accredited by the judge, who had received the depositions of the witness cited by Ferrer.

Is any intention of prejudge seen in this? But it is supposed that there is a contradiction in the deposition of constable Bermejo, and what the office of the chief of Police said in its report, because constable Bermejo arrived and said, that he saw Ferrer on the 26th among the groups in the street of the hotel at 6 in the afternon, among the groups which were afterwards dispersed by tow cavalry troopers, and Ferrer arrived later at his hotel. Is there any contradiction with the report of the office of the chief of Police? *(Sr. Alvarez:* Only that he did not say that. Your Honour is the only one who mistakerly says the contrary. I will correct you later... I am not infallible. Señor Alvarez, but it appears to me that it will difficult for your Honour to shew that what I have said differs from the truth. *(El Sr. Alvarez:* in an essential detail.)

The Proof of the witnesses.

Lastly I am going to speak of two things of which your Honour spoke. The first is, that most grave imputation, which it most evidently would be, which you directed againt the auditor general, when you spoke of the fact that the banished people in Teruel wrote a letter on the 28th; which your Honour gracefully said, must have been lost; a

letter directed to the judge Raso saying that they wanted to give evidence. I do no know why you said a letter which was registered in Teruel on the 28th and which arrived in Barcelona on the 29th must have been lost; but any way your Honour said that the letter desiring to make a deposition arrived when the cause had already been closed, and the judge answered the banished people of Teruel, saying that they could not make their deposition now. Your Honour, Sr. Alvarez, said with great eloquence, «but these were witnesses for the defence, and fort that reason they were not allowed to testify, and on the other hand the witness Figueras, who was for the persecution, made his deposition on Oct 1st». The señores diputados now see: That those who said in their letter to judge Raso that they had knowledge of what Ferrer did in Barcelona in those days, are refused, and on the other hand, a witness for the other side, is allowed to make his deposition. This, on account of the authority of your Honour, ought to have produced a great effect. I have not read what your Honour said of this, but only what the periodicals published, and I am certain that some of them headed it; *Sensation.*

Very well, of what is one dealing? One is simply dealing, with the fact that, a record drawn upon the deposition of one, D. Pedro Figueras, referring to Ferrer was remitted to the judge on the 1st. Oct, in aid of the Police and in furtherance of justice; but he was not a witness either cited, or heard by the judge, who confined himself to incorporating the document with the case, exactly as was done with the letter from Teruel, and to which was given no further importance. *(Murmurs in Republican minority.)* In consequence, let the señores diputados note, that it is an communication which was received, and that it figures there in the same way as the letter from the banished people of Teruel figures, and it is owing to this that his Honour is informed; but the judge did not receive the deposition, and the auditor did not admit all which the witness said. It is thus, gentlemen, by

presentig things in this diversity of colours, that public opinion is impressed, eloquent paragraphs phrased, sensation is produced, and great public speaker move in the cause of Ferrer. (Sr. Nougués: why did not the police of Teruel send the testimonial?)

Señor Presidente: I will most certainly be able to terminate to tomorrow, in little more than half an hour: I am exerting a considerable physical effort, and what is worse I am impossing the same on the señores diputados, it is not well that they should cease to lend attention in affaire of this nature. *(Applause in the Conservative minority.)*

SESSION OF 4 TH. APRIL

Correcting inexactitudes.

I terminated yesterday afternoon, gentlemen, by examining those principal inexactitudes, into which orators who preceded me had fallen in examining the trial which is the subject of this debate. It is clear, that I could not have then, nor can I now, the presumption to analyse, one by one, all the arguments, all the reasons, and all the acts laid down or pointed, out by the said orators; but it appears to me, that it was useful work, necessary work, and most opportune to correct the most salient of those which require correction, but very few of these now remain for me to make; but I cannot nor ought I, to omit them, before entering on another train of considerations and studies in the debate which now occupies our attention.

Sr. Alvarez directed a charge, a charge which appears grave, against the judge of Ferrer's trial, because he had made questions referring to the proclamations which were found in Mas Germinal, affirming that they had been formd in the presence of Soledad Villafranca, José Ferrer and his wife. I cannot deny that the judge committed an error in

making those questions, but I wish to shew that that error could have had no transcendency in the trial.

Tree searches were made—and it is as well here to draw the attention of the Chamber to this point, for all the orators have founded some of their accusations made directly against me, precisely on these searches.—three searches were made in Mas Germinal: one resulted with scarcely any indications against Ferrer, it was decreet by the order of the military judge of the general trial, Sr. Llivina. This search was ordered by the judge and practised by the police, and in it were found the cyphers with which to communicate with señor Lerroux, a post card signed by Carlos Albert, to which I referred in the first part of my previous speech, and some documents. It was at this search that there assisted the people I have previously mentioned.

The second search, took place on the 27 th. of August, when Ferrer had not yet been arrested, as the señores diputados know that took place on the 31 st. of that month. The search was made by order of the governing authority.

I have explained, on a previous afternoon, that they were trying to find out where Ferrer was to be found, and to discover every kind of antecedent concerning his person. I have not to insist on that. In the said search, the proclamations were found to which the judge referred in questions to the prisoner and a multitude of documents to which I also referred on a previous afternoon. But I now remind the señores diputados, that the mother of Soledad Villafranca, Doña Josefa los Arcos, was present at the search, and signed the record of the search, and the mistake or error of the judge consisted in confounding one search with others, but taken all in all it is proved, that a person who might be considered to be, from a certain point of view, as of Ferrer's family, was present at the search and signed the record of the same. It is to be added, that Ferrer did not recognised one of these proclamations, but recognised those others of 1892, as señor Alvarez himself had to declare.

I have to make an extensive correction to Sr. Salillas speeck, if it were now opportune I would enter into details, but already on the previous afternoon it appears to me I said something to him, and some of it was corrected, for the correction was common to all the orators who had preceeded me. I now simply wish to tell his Honour, and the Chamber, that in saying the report or the part of the lieutenant of Carabineros of Premiá, was favourable to Ferrer, his honour is entirely mistaken. It is by chance, that in omitting to transfer that communication of the liutenant of Carabineros to the separate indictment against Ferrer, could not be prejudicial to Ferrer in absolutely no way whatever: but on the contrary: for in that communication are to be found the first indications of Ferrer's guilt, as his Honour recognised; the communication is dated the 3 rd. of August; and in it there appears no exculpation; attenuation of his crime, absolutely none.

But there is something more, which is expressly important that I should point out: and that is that the Lieutenant of Carabineros deposed in Ferrer's trial, without any contradiction whatever with what the lieutenant had testified to his superior officer, and he clearly said that after Ferrer's arrival in Premiá on the 28 th. the events which had unfolded themselves there, and which until then had been of a pacific nature, took on a character of violence, and the incendiarism began, and the attacks on the station and Railway warehouse, and lastly, the assault on the monastery of the Brothers of Christian Doctrine, which had to be defended by the force of Carabineros. That deposition, which is not contradicted, I repeat, on one single point, obsolutely not one, the communication which the same Lieutenant of Carabineros brought to the general trial, appears to me to remove all doubt as to what officer would have been able to say, favou rable or otherwise to Ferrer, that report is omitted.

Defence of the General Hearing.

I had not wished to take up all the insinuations, charges rather, the truly offensive words. — I do not hesitate to say — which have been repeatedly pronounced and directed against the most worthy Auditor General of Cataluña. I had not wished to do so till now, because I was wacting until with greater preciseness, and in fulfilment of offers, which I have seen made in the press, all wich was going to be said should have been said, imputing prevarications, imputing crimes, imputing illegal and noxious interference on the part of the Auditor General, and the Auditors at his orders in the trials (Sr. Lerroux asked permission to speak) because it is well, gentlemen, that you hear what the newspaper *El Progreso* attributes to Sr. Lerroux when he announced what the radical minority were coming to do here.

«We have the right to demand from the people», (he is speaking of the elections) «to give us these powers, because we are going to accuse Maura, the chief of the Conservative Government, and his miserable Vargas Machuca. La Cierva, who acts as executioner» *(Murmurs.)*.

«Afterwards we will accuse Ugarte, prosecuting council of the Supreme Court, at that time, who betrayed the interests of Society, which by reason of his office were entrusted to him; he being the first to accuse an innocent man, taking up the calumnies of a miserable integrist. It was Ugarte, who abandoned the prestige of Civil Power, to hand over the trial of an innocent man to the jurisdiction of war.»

«We will accuse the military hearing, which committed the abominable iniquity of manipulating trials, hiding witnesses for the defence, intimidating those for the prosecution, in order that the prisoners might be without defence: a work of iniquity which was realised and cowardly maintained, by the unstainable honour of a Council of war.»

This is what he said to the people of Barcelona, this is

what he published in the newspapers which came into my hands; and apart from what he says about me personally, about which I said sufficient on the previous afternoon, and I have been waiting here for these announcements to be fulfilled, and these accusations be made directly against these auditors and when should have believed the opportunity to have arrived to take up these accusations, if they had been connected with those directed against me, I should have said what I had to say; but now, when other orators have pushed on further, and some, in the last afternoon, directly accused the Auditor general of nothing less than the crime of falsehood, I cannot wait until these annonncements are fulfilled, and I must protest against those words, and I have to say that not one of the notices which I have, that not one of the notices which the Government of which I formed a part, from the Auditor general of Barcelona, permit it to be supposed that he was capable of committing anything incorrect, much less a crime. From the very first moment of the debate, gentlemen, you noted how those attacks were directed against the auditors, in order to declare, as later, it was brillianthy and eloquently declared, that that sentence was unjust; — and that sentence was delivered, voted and signed by a Military Tribunal!; but it was as vell that you previously saw if auditores of the trial were attacked, by supposing that they had manipulated the trials, by supposing they had enclosed the Tribunal in a network from which it is impossible to escape; thus, little by little, they have gone on, initiating the attack, forming the legend, and that is how they have gone on creating all this havoc, to which I referred on the previows afternoon; and on referring to that havoc, I could not suppose that Sr. Azcárate would have been able to point to these benches in the way he did to day; because it appears to me that I spoke very clearly, and well expressed my situation, and what my purpose was no one could suppose that I associated myself with rumours, menaces or excitations, which would be entirely improper in a man of order, and im-

proper in me. But coming to what I wish to examine concretely. I say that to suppose that nothing less than the crime of falsehood was committed, because the Auditor general said, that Ferrer shaved of the beard he wore in order to disguise himself on going to Masnou on the 28 th. when it might turn out that there was a witness who said that he saw him with a beard—or rather it is better to say, with a small chis-beard, which is what Sr. Salillas said; but the result is that there might have been an error in the depositions, that is all; (although is has to be taken in to account that when Ferrer was arrested he was completely shaved); but in no way could there have been a falsehood, and if a mistake was made in any case it was not put before the Tribunal which had already adjucated the case and delivered it's verdict, but only in the report made to the Captain general after the sentence.

I do not wish to omit to remark on the censure which was so lightly and cheerfully passed, on the depositions of the two troopers of the regiment of Dragoons of Santiago, because it has been one of the themes most insisted upon.

You have already heard, the depositions of the two troopers, which are exactly alike both in form and words and in which they affirm, that on the afternoon of the 26 th. they saw a man among the groups reading, or attempting to read, an edict of the Captain General's, and that afterwards they recognised him from among the circle of prisoners, and it was Ferrer. I do not now speak of the connection which was established by those orators between these depositions and that of the constable Bermejo,—who was detailed to watch Ferrer; I explained that on the previous afternoon, but I must remove the effect which the entire similarity of the depositions might produce, and no such similarity exists. Such there is not, Gentlemen, because a concrete act is dealt with, concerning which those soldiers were questioned one after the other, and when one spoke of what Ferrer said, he referred to his companion, there is then already this difference between the reports of the two depositions; but to come

to the root of the affair, is there anyone who judging impartially and knowing what passes in respect to depositions made before judges, of all kinds, when acts, about which two witnesses say the same thing, are dealt with, can deny that the report is the work of one secretary, and that, generally, the similarity, is the propensity of the secretary's?

Who is there, disputing in good faith, would not remember that the same thing is observable throughout the whole summary, throughout the whole trial? And to whom could it occur that this was a sing of falseness in the depositions? Above all, gentlemen, when the essentlal thing of these depositions is that the two soldiers picket him out, two or three times consecutivelly from the circle of prisoners, and one after another they recognised Ferrer. Does that look, as if the evidence was false? Does that mean to say, that all those who took part in the trial are prevaricators and falsifiers, and that these researches are a mere pretence? Well, say it. But to insunate that these depositions are the same; and because two months had passed to suggest that it is unlikely that after this time two persons, two soldiers could recognise Ferrer; to say all this without, drawing from it the conclusion that thes investigation had been skilfully fabricated and that all this is false, to say all this, it appears señores diputados to me, that no one ought to admit without protest.

Lastly, it was said by Sr. Salillas with his customary eloquence, that the assessor of the Council of War, on addressing himsellf to the Council, recalling the whole campaign which had been made abroad, the same as when Ferrer was tried in consequence of the attempt in the Calle Mayor of Madrid, which was dealt with in this trial, and on calling the attention of the military Tribunal to this propaganda, and inciting in to proceed with perfect justice, brought pressure to bear upon the Tribuual. I recommend the señores diputados, to read that part of the assessor's report, and they will see, what that most honourable functionary did, on exercing a perfect right; from my point of view, he fulfilled a strict

duty in calling the attention of the Tribunal to those circumstances, which were of the highest importance, so important, that we are now seeing all the consequences which arose from them. He exercised a perfect right, in making a call upon the serene spirit of justice so that, without consideration of any kind, or anyone, it went to work with rectitude, recognising at the time that, the civil Tribunal which had tried the cause of the calle Mayor, had also proceeded in strict justice.

The Life of Ferrer.

And now, gentlemen, we come to what I would have believed it my duty to have said before, if I had not considered it my duty to make the previous corrections after having heard some roundly declare, and give others to understand, that the sentence was unjust and that Ferrer was innocent, that I believe it my duty to say it; because we have agreed that all this could and ought to be discussed, and we would be shirking a sacred obligation if, faced by those accusations, we did not say what we believed, and what we feel, above all when those acusations go hand in hand with those made against, those who had taken part in the trial, and against him who at that time was Minister of Government. And what I propose to say, counting on your kindness, concerns all that which has reference to Ferrer, the antecedents and life of Ferrer, all that which characterises his personality: because when I told you that I had demanded that the trial, which took place owing to the attempt of the calle Mayor, should be printed and brought here, I called your attention, to that which I considered as absolutely certain, that is, that he who tried Ferrer would have been mistaken, the same in the trial which took place in Barcelona that afterwards in order to appreciate all the pleadings in this trial, and the imposition and execution of the penalty of

death on Ferrer, there would not have been means of understanding, if all this history of Ferrer's, which cannot be separated from his person, is not brought into the debate in which the trial is analysed the indictment is analysed, and the sentence is analysed.

I have already seen, how the same people who invoke nothing less than European Opinion in order to establish the basis of their impeachment that Ferrer was not guilty of the events of Barcelona, having before them all the material which I have presented to them, all those antecedents, the whole arsenal of data which figure in the calle Mayor trial have passed them over in silence: what interests them is what is thought abroad; what interest them is what some foreign intellectuals say of Ferrer; but they are not interested in knowing who Ferrer was, and what he did in Spain, and what his life had been; they are not interested in the pages of that trial.

Come let us examine something, gentlemen, but certainly not with that minuteness which the theme deserves, for I could not count then on your kindness, so I will do so only very roughly: I will take up that which is publicly notorious, that which is perfectly proved in those legal papers, or others, by documents, and I will have to repeat in this respect something of what I said in July. I will have to recall some of those deeds and acts which at that time appeared to me to be necessary to have chronicled in the Diary of the Sessions,—things which although already known by the greater number of Spaniards, appeared as if forgotten when we were discussing these affairs; which appeared as if they are not wanted to be remembered; and which nevertheless in my opinion turn a powerful light upon the life of Ferrer, and above all, upon what we are now debating.

Ferrer was always a revolutionary.

In the greater part of the works, which have been written not only abroad, but also in Spain, attacking the sentence of the military Tribunal, there is found a affirmation: the affirmation to the effect that Ferrer since 1901 — (and it has even been said in this Chamber) — that Ferrer for two or three years previous to the events in Barcelona, had been completely estranged from the political life of Spain. That is the principle basis of all the arguments against the condemnation of Ferrer (Murmurs). That is the chief basis. (Sr. Soriano: Your Honour need not trouble. You make us laugh).

Sr. Presidente. Señor Soriano, do not interrupt. You can make your correction in your own time.

Sr. Soriano. As if I should trouble to make a correction!

Sr. Lacierva. I suppose, gentlemen, I must be allowed to defend myself when someone attachs me violently. Well, I say Señores diputados; Is there anyone, who knowing the political life of our country in these last years, can make a similar declaration, in good faith and without partiality? A declaration which English authors make, which the friends, Ferrer had in France, make, which in all this propaganda which is being made, and in all the diffusion of lies, it is unhesitatingly declared that Ferrer had retired from public life: all this is explained, by the explanation I gave on the previous afternoon; but here, spaniards, citizens, when nothing loss is being discussed than an a affair like this, and it is supposed that a tremendous iniquity has been committed, or at least a most grave judicial error—who is disposed to prove it, — who couldt make a similar declaration here? Ferrer was a revolutionary up, to his death! Essentially a revolutionary! Making evident his revolutionary opinion! Because it is true in answering, the very judge of Madrid in the calle Mayor trial, and afterwards the military judge in the Barcelona trial, he denied that he had such ideas, that he

had such purposes, that he had interfered in the revolutionary movements; but, how long could those denials last?

Ferrer left Spain about the year 1885, and established himself in Paris. He had close relations with Ruiz Zorrilla; whose favourite and most active agent he had already been in Spain. From the documents found in his archives, which today are to be found in Barcelona, it is shewn that he took some intervention in the insurrection in Santa Coloma de Farnés, and in all attempts at insurrection which followed it: in that of Casero, in that of Villacampa, and in that of Badajoz.

I repeat, gentlemen, that in those documents, there appear concrete indications of the intervention of Ferrer in all those revolutionary movements.

In Paris, Ferrer separated himself from his then legitimate wife, (I speak of this because it is essential, and of it were not, I would have no motive to enter into the private life of anyone); separated himself from his wife, who shot at him with a fire-arm, and entered into relations with Leopoldina Bonald, who later became the most important figure in the European propaganda in favour of Ferrer, which is taking place now, as well as at the time of the calle Mayor. Leopoldina had relations with the anarchical elements of Europe.

The attempt of the Rue Rohan.

In order that the Señores Diputados may have an idea of what those relations were, of the anarchical propaganda to which Leopoldina Bonald had dedicated herself, and of which she made use later in order to inflame passions, and found the legend, when Ferrer was implicated in the calle Mayor trial, I am going to read three letters which figured in the said trial, and which were found moreover in Mas Germinal, where Leopoldina lived in the year 1906, with a son, whom she has had by Ferrer, named Riego. One of the letters speaks

as follows: «Dear señorita: I think it prudent that you also should not go to Paris, above all since it is said that the bombs have been found in the woods of Clamart; and as you go to Clamart, they might easily make combinations which would not be just, but which might compromise you: and why whould you do so if it is not necessary? The idea of going to the house of the señoras Vendecum, is very good, and suits them very well; why not go direct? That would be much more agreable for you. Those ladies are wery amiable, and you would be more comfortable there than elsewhere». (Sr. Soriano: Terror!) I cannot discuss this subject, other than seriously.

The Presidente. Sr. Soriano, do not interrupt. Your Honour had the attention of the House for six hours without anyone interrupting you. (Sr. Soriano: I have commented on the letter).

Sr. La Cierva: This letter, is signed by F. Domela. That is a name which I shall pronounce more than once, because it has great importance in the life and acts of Ferrer. The letter bears the date of the 16 th of June 1905.

Another letter of the 17 th. of August of the same year, also written to Leopoldina Bonald, contains this paragraph: «Nothing is heard said about the trial. I enclose with this an article by Thaioulouse, which Rich must have well translated into Dutch. My thanks in advance for this. Kindest regards from us, and a hug for little Riego, whom we always consider as our little friend.—F. Domela Nieuvenhuis».

Another letter speaks thus: «My dear Leo: If you do not find yourself in a safe position in our house, I offer to take you, with myself and family, to a place where you will find all the conveniences necessary for yourself, your son, and the people you bring with you; I will recommend them and they will be able to live, for the moment, tranquilly and at rest. Therefore as soon as you can escape, come: we are expecting you. I enclose two different cards from the Town-hall».

What importance have these letters? Well take note of

the dates, gentlemen. June and August 1905, and in which they speak of the «trial». Do you remember, the date on which took place the attempt on the lives of H. M. The King of Spain and The President of the French Republic, in the Rue Rohan, Paris? Well it took place a few days before the dates of these letters, and it came out afterwards, when an enquiry was held owing to the attempt of the calle Mayor, that Morral, who lived in the same house of the Modern School in Barcelona, who was the friend of Ferrer, who shared a strong — box with him at the Credit Lyonnais, had been, according to the knowledge of the employees of the agency which despatched the bombs, he which despatched them to Paris, and which served fort the attempt in the Rue Rohan according to what came out in that trial. I wish to point it out as a coincidence, that the name of Ferrer is in some way connected with the attempt of the Rue Rohan, for it cannot be overlooked that if Leopoldina has these letters in her house, which were found in 1906 not owing to of the investigations into the calle Mayor case, but during another search which was made owing to the publication of a book by Nicolás Estevanez called «Revoluttionary Thoughts», which was edited by Morral on an agreement with Ferrer; that Domela, one of the best known anarchists of Europe, and author of the syndicate movement in the Congress of Amsterdam in 1907,— against or in oposition to socialist congress—, the which inspired Ferrer to unroll the society called Solidaridad Obrera, in Barcelona, with all the syndical and anarchical characteristics which he exposed to that Congress in Amsterdam; that if Domela, I repeat, wrote these letters to Leopoldina Bonald, a woman with whom Ferrer was living as his wife, and told her these things, and it afterwards becomes assured that Morral had something to do with that attempt, Morral who was in the Modern School, who was the confidential friend of Ferrer, and who afterwards did what we know; this, gentlemen, constitutes a chapter of history which, in all conscience, we cannot pass over, for Ferrer takes part in the public life of Spain,

and his name is coupled not only with revolutionary movements, but also with political crimes for many years back.

They who defend Ferrer suppose, that he was only a man of ideas; that, undeceived by the revolutionary dessigns of Ruiz Zorrilla, he had dedicated himself solely to education, to rationalistic instruction, and for this had created the League for the National Instruction of the Young, and had founded several reviews in Rome, Brussels and Paris; that he had consecrated his life to these works, which are unknown or denied; but we mast oppose you to these statements, and for this it was very important that Ferrer should recognise, and he did recognise them, those documents found in Mas Germinal, which bore the date of 1892, on the occasion of the Congress of Freethinkers, which was held in Madrid at that time. Ferrer could not dany those documents, and it remains established that he was the author of them. He could not deny them because they were written in his own hand; and in those documents, — you can see them for yourselves gentlemen, —he sketches a plan for the organisation of a group of 300 men «of heart,» who would have to write and tell him as to whether or not they had «provisions» (that is what he called dynamite). On tracing out his plan for revolution, he speaks of how, whan the day arrives whan the Royal Palace and all the government offices fly up into the air, it will not be difficult to taks possession of all the public buildings, and realize the revolution. *(Murmurs).*

Nakens speaks of Ferrer to Angiolillo.

This, gentlemen, might be appear to someone as silly or fantastic, but when we are dealing with a man who has been tried for the attempt in the Calle Mayor of Madrid; with a man, over whom there hangs a cloud at least in what refers to other political crimes; the fact that these documents have been identified as his, appears to me to have importance.

When these questions were being dealt with in the July of last year, I spoke of the coincidence there was that the name of Ferrer went forever coupled with political crimes; and spoke besides ot the fact that Sr. Lerroux went to París to make a statement in favour of those who were being tried for the attempt of the Rue Rohan—Sr. Lerroux declared betors the House, and what he said to be printed in the Diary of the Sessions, that if he went to París to make a statement, and made it in the terms which have been explained here, it was because he had been asked to do so by Ferrer;—by Ferrer who made no declaration in the trial; by Ferrer who was in París and did not consider himself in a position to help his friend Malato, in whom he interested himself; but, nevertheless, following his method, that method which we have been able to observe in all his trials, he asked Sr. Lerroux to go, and Sr. Lerroux went.

I must now tell you, gentlemen, that when I was speaking of these acts, I ignored others: I ignored the fact that when I examined the copies of the documents found on Ferrer, and I fixed my attention on the document which I am going to read, I received a sad impression; for if I had well known, while I was a Minister of Government, owing to the antecedents that existed, that Portet, to day Ferrer's executor, was his intimate friend, who lived, I believe, in Liverpool for some years, who has returned to Barcelona precisely within the last few days, although I dont know if he is still to be found there,—that Portet, I say, was expelled from París, where he then was, immediatly after the assasination of D. Antonio Cánovas del Castillo; I confess I did not know in the slightest that the name of Ferrer although he was notoriously the intimate friend of Portet, had been mentioned in any connection with the assasination of Sr. Cánovas del Castillo. Well among these documents was found a card from señor Nakens directed to Ferrer, it bears the date 19 th. July 1897 (Sr. Cánovas was assassinated on 8 th August), and in this card Sr. Nakens says to Ferrer, that he has received the visit

of Emilio Rinaldini—Emilio Rinaldini, book-keeper, correspondent of the newspaper *Il Popolo*, such was his visiting card.—five or six days previously, and adds «we spoke of you very much». Do the señores diputados know that it is a fact that Nakens received the visit of Emilio Rinaldini, who was Angiolillo—the assassin of Cánovas. *(Murmurs.)*

Sr. Nakens has referred to this. Under his signature he has published it in the Press, and this was repeated on account of the attempt in the Calle Mayor, when Sr. Nakens invoked his standard of action owing to the accusation. You know, I say, gentlemen, that Sr. Nakens received the visit of Angiolillo. alias Rinaldini, and learnt from him that he was about to make an attempt, an did not denounce him. It is a singular thing that he visited Nakens, and spoke much of Ferrer to Nakens. I point out everything, and this I wish to have chronicled in the Diary of the Sessions, and found myself always upon documentary proof. Would that all who take part in this debate would do the same! *(Applause in Conservative Minority.)*

Destructive Work of Ferrer.

Whit these antecedents then Ferrer founded the Modern School of Barcelona in the year 1901. Is it a fact that, as some affirm, Ferrer abandoned public life, and dedicated himself to rational education? Was the Modern School a centre of culture and education, of more or less advanced and radical characteristics, but totally removed from any revolutionary purpose, from any revolutionary object? I only wish to read, a paragraph of the letter dated 18 th. Nov. 1900, written to José Prat by Ferrer. in which he made note of the inauguration of the Modern School—«At the same time lectures will be given—he says—and accomodation vill be held at the disposition of the Syndicate, groups of workmen, strong societies of resistance, which do not occupy themsel-

ves with elections or with the means of improving the condition of their class, but which work only for complete imancipation»; and here we already observe, how Ferrer strove to enlace that which he called his educational work with the Syndicate movement in Barcelona.

In several of his letters, he declares that, disenchanted with the pronouncements he had made by the side of Ruiz Zorrilla without any result, he conceived that the most practical thing to do was to iniciate this work of education, organise the labour elements in the form of Syndicates, draw them together, and prepare them for the revolution by means of the strike.

I will now pass over the origen of the Modern School, that is to say of the money with which it was promoted. It is already well known, the way in which Ferrer came to be the heir of a lady named Ernestine Meunier, a catholic lady who died leaving a «Last will», in which she protested her religious faith, but left him a house in the Rue des petites Ecuries, by means of which Ferrer was able to establish first, the Modern School, and afterwards the publishing house which was connected with it. That which interests me more now, is to make evident that from the time when Ferrer appeared in Barcelona in 1901, he dedicated himself chiefly to the organisation of the labour elements, to the preparation of strikes with an end to revolution, and for this besides, founding the Modern School, started a newspaper which was called «La Huelga General»—«The General Strike».

And it is clear, as Ferrer's work of organisation in this direction, was so energetic and indefatigable that in spite of the interest of his partisons in continuing to believe and make others believe, that he had indeed abandoned the whole revolutionary movement, there keep rising to the surface proofs manifestations, antecedents data, to the contrary.

For exemple, Anselmo Lorenzo, a person of whom I suppose you have all heard speak, one of the principal anarchist of Barcelona, one of the men most intimately bound up

wilt Ferrer. in these lattes days. said: «not being a partisen» he is speaking of Ferrer. «being unable to submet himsef of to discipline. he had most powerful iniciative and extraordinary activity. of which he gave proof when whilst organising and putting his Modern School and Library into working order, he desired to contribute to the movement for the revindication of the rights of the proletarial. by the creation of a Journal and library of propaganda. That Journal was «La Huelga General».

As an edifying exemple of Ferrer's articles. I am going to read three paragraphs of one published on 5th January 1902. which is entitled «Vill there be Blood? yes much»:

«The monopolisers of wealtt and those sustained by them, instead of being reasonable. instead of becoming reconciled. and being inteiligent. and assisting the change of the regimen of explotation. for one of fraternity and singleness of purpose, wish to ofier resistance. and therefore. naturally, there will occur the inevitable tragedy.

What lamentations! What over late imprecations!

Serene. firm. and without selt-change. Revolution will pursue her triumphal way. without deploring the blood spilt. with her mind bent upon the new era of peace and justice. which. with the last baptism of human blood. will be installed for the first time. giving birth to a society truly worthy of existence».

It was already in 1902 when. as the señores Diputados see, Ferrer wrote this. and notwithstanding, I repeat the greater part of the works published in reference to his trial, declare. that since 1901 he took no part in any Revolutionary propaganda whateveer. In 1902. gentlemen, the General Strike in Barcelona was installed. and I believe you all remember the gravity of the condition of affairs en that City. in consequence of that strike; the energetic messures which the Government had to take; the many thousands of workmen who went on Strike and contributed to it, and their collisiones with the public forces. And passing over many data,

and past events in order not to tire you, we will now arrive at the year 1906.

The attempt of the calle Mayor of Madrid, took place in the year 1906. Concerning all this I would wish that the señores diputados lend me their attention, for I have to make considerations which are of consumate interest.

The attempt of the calle Mayor.

In 1906, Leopoldina Bonald, whom I have named before, lived already in Mas Germinal, evidently estranged from Ferrer, because the figure of Soledad Villafranca had appeared by his side. Ferrer in the many declarations lent in the trial for the attempt of the calle Mayor, denied that he had relations with Soledad Villafranca; Soledad Villafranca also denied it, but look at the trial, and you will observe, that one of the last manifestations that were made in it, and with which Ferrer's own advocate established his conclusions, was that the relations between Soledad Villafranca and Ferrer actually existed.

Then Morral, for sometime had formed part of the Modern School. Morral was a well knowon anarchist; he had been abroad; he had lived in communication with the principal anarchists in foreign countriees, and he had scarcely met Ferrer, when there strong up an intimate friendship between them both. You remember, that in the month of July I spoke of a letter which has now been found among Ferrer's papers, a letter which appears to me of such consummate importance, that I must leave it in the Diary of the Sessions, and now I have to turn back concerning it.

When Ferrer was asked, in the calle Mayor trial, what relations he had had with Estevanez, he said that they almost did not exist: he said that he had nothing to with the publication in Spain of the work called «Revolutionary Thoughts», that that was an affair of Morral's. He denied that he remitted

money to Estevanez notwithstanding the fact that among the counter foils of his cheque book, had been discovered one which proved that Ferrer had drawn a certain amount of money for Estevanez.

Then this letter bears the date, 9th. March 1906. (The crime was perpetrabed 31st. May) and in this letter Estevanez says to Ferrer: «Have the favour to tell Roca on my account (Roca was Morral), that I have only been able to go out in the street during the last few days as I have been ill with influenza: that I will send him some books on electricity, and would have done so already, because I have not seen one dealing with the application of electricity to war, not even in the military libraries of the rue Danton, and that I agree with what he tells me that lectures and pamphlets will bring us no where. I suppose that he will not say this of me: for I write little and say less, *and the decisive acts from which something could be hoped, should be done by young men.*

This letter was found, I repeat, among Ferrer's documents when a search was made on account of the events in Barcelona. Then at the trial for the calle Mayor crime, Ferrer never said that he had seen Estevanez; and in his first declarations he stated nothing, absolutely nothing of this; he denied, as I have pointed out, all connection with Estevanez; he denied that he had drawn money for him, and that he had had anything to do with the publication of «Revolutionary Thoughts»; but it was ascertained that Estevanez had come to Barcelona on the 14th. or 15th. of May 1906, if I am not mistaken, and when investigation had been made it was proved that Estevanez had been visited by señor Lerroux and Ferrer. And as a matter, of fact señor Lerroux declared in that trial, that he had received a letter from Estevanez announcing his voyage, and asking if he would be troubled in consequence of the prosecution which had followed the publication of the book to which I have referred, and that having made enquiries, he wrote and told him he would not

be interfered with: that señor Estevanez come to Barcelona on that date: that he went to sees him and that his visit corresponded with Ferrer's, who presented himself at the same time, both accompaniyng him to the Vessel in which he sailed for Havana.

Then the señor Estevanez, who wrote to Ferrer for Morral that «the decisive acts from which something could be hoped should be done by young men» and added «any chemist friend, can give you the receipt for the powder better than I because there is not only one, but many; am not a chemist»: el señor Estevanez who wrote this to Ferrer for Roca, that is to say, for Morrals information, left Barcelona on the 16th. and on the 19th., three days later, Mateo Morral Roca come to Madrid prepared to make the attempt of the calle Mayor. I do not know what the Judges, who tried this case in Madrid, would have done, if they had known of such a letter; that which is of interest to me is to make it evident, at a time when the revision of unjust sentences is spoken of, that that document exists, and that it is incorporated in the *Diary of the Sessions* since the previous summer, without anyone having spoken more about it, and that nevertheless we continue to talk of the other affair. (Conservative applause).

Ferrer was arrested, I think, on the 2nd of June 1906. The attempt took place on May 31. Mateo Morral threw the bomb on the Royal Coach; our sovereigns were saved by a miracle, but 24 persons, military and civil, were killed and 107 injured. As soon as he had committed his crime, Morral fled. And where did he flee to? He went to look for Nakens, who says in his declarations, that as soon as Morral had changed his appearance, by clipping bis moustache, he accompanied him. Nakens declared he was a man opposed to denunciation, a great spirit, who could not betray a man who had trusted himself to him; the did not betray him.

But he did something more, and I speak thus because it is well that we draw his silhouette at a time when so many

silhouettes are being calumniusly drawn: he did something more. Having scarcely replied to his daughter, saying that he saw the attempt and had naturally received a shock, Nakens goes out into the streats of Madrid, accompanied by Morral and another person, and arriving at Cuatro Caminos they seat themselwes at the door of a tavern called Canuto, there, to gather with some friends whom they had met, they drink beer for an hour.

Nakens is by the side of Morral: Nakens already knew that there had been so many dead, so many injured: that such havoc had been created: that one of the greatest crimes of the present age, had been committed, and during one hour he drank beer with Morral.

Afterwards, he goes to look for a friend and protegé who decides to assist them, and in consequence of all this Morral flies in disguise the following day, and assassinates that poor constable of Torrejon de Ardoz; but he did not denounce him: Nakens did not denounce Morral. Nakens is arrested when it was discovered that he had hidden Morral, and Nakens says nothing about Ferrer in his declaration: he did not wish to denounce him either. But Francisco Ferrer is detained; his connection with Morral was notorious. The judical authority in Barcelona, investigates with rapidity, sees all the intimate relations there were between them both, and above all observes that on the 30th. May, Ferrer left Barcelona, or at least says that he did; that Ferrer, with Morral, went to the strong box in the Credit Lyonnais; that Ferrer disponed of the 20.000 pesetas of his current account, and that he returned on the morning of the 2nd, when it was already public that Morral had fled: and Ferrer was brought to Madrid, and tho Judge asked Nakens if he knew Ferrer, and if he has any conection with him. This is the second declaration of Nakens he answers. — Yes, that he had had some relation with him as a writer, but nothing more. But Nakens now perceives that the connection between Morral and Ferrer has been discovered, and the perpetual enemy of denunciation

already reflects tha it is possible that he is compromised, and, the Señores Diputados, are going to hear what he said.

Nakens made his first deposition on the 6th. of June, his second on the 7th. and on making a new deposition on the 9th. he said spontaneously, and without any question on the part of the judge; that he had an important statement to make to the Court, which was that some days previously. he had received two letters from Ferrer, one of them contained a cheque for 1.000 pesetas, and contracted for a book for the Modern School, and on his answering that he could not write a book for anarchist, he received another letter saying, «Enough affectation, keep the money (it is stated in the Diary of the Sessions, and for this I do no more than make this indication for essence of the affair); I wish to aid you in your revolutionary work. I have been mistaken many times. I will not swear that I will no continue to make mistakes; but always forward. I think the only man capable of making the revolution in Spain, is Lerroux, and for this I embrace him.» And then. added the letter, «Of the military, what deception! What a bitter disappointment!» I have received there letters, which are in my library (at that time no search had yet been made), and as I knew of Ferrer's anarchist afiliation, —says the deposition—I think it is possible that this might be a maquination of the anarchists to involve me.

Gentlemen, it was always the republicas, including these who had declared themselves the enemies of denunciation, who accused Ferrer (Murmurs): Nakens added in this deposition, that it was not only the letters, with such dates, which aroused his suspicious, after so long a time since he had any intercourse with Ferrer, but also that Morral seeing that he was inclined to favour hide him shoned have said. «How well Ferrer knows you!» That all this made Nakens think that the anarchists might be in communication, and wished to involve him. And when he feared to be incriminated in the attempt of the calle Mayor, he at once forgot his doctrines and made a denunciatión.

Well, under all these circumstances, in spite of the multitude of documents which were found in Mas Germinal, in which this revolutionary work was proved, documents including even those of Leopoldina Bonald, which are most significant; in spite of all this, Francisco Ferrer was absolved.

Ferrer seeks Assistance from Abroad.

But what interests me above all is, that scarcely was Ferrer Guardia arrested, and his friends had notice of it abroad, at that same moment Carlos Albert, Malato, Naquet and Domela, and all the principal persons who figured afterwards in the european agitation of 1909, commenced to stir up public opinion, and Leopoldina Bonald, a woman who had been extranged from Ferrer, as I have mentioned, found some sentiment of love or gratitude, or whatever it was, in her soul, and left Mas Germinal, and with her great influence in the anarchists world, also fomented this propaganda: She organised meetings, assisted at every kind of reunion, published articles in the Press, and also aided principally by these anarchists, ignited a fire which has not yet been extinguished. This is the origin of all this legend, and it does not appear to me superfluous to accentuate it, though it may fatigue you just now when we come to examine what passed in 1909.

Ferrer who had been absolved by the Tribunal which tried him, was in absolute independence, yet when we formed the Government, in the year 1907. (It is interesting to study the documents which refer to what I shall say). He set out on a voyage over the greater part of Europe, representing himself as a man who had escaped from the claws of Spanish reaction; that he had been the victim of a vile calumny in supposing him implicated in the calle Mayor Crime; that it was only the jesuits, the enemies of his work of education in Barcelona, who had invented such a thing; and he presented himself in the greater number of the anarchist centres of

Europe, as a man who had escaped from such a peril. And it is evident that the figure of Ferrer was increased in notoriety. He could not have renown as a man of culture, as a man of great learning; Señor Salillas has said sufficient on the subjet; it appears to me, that there are few, if they discurs this matter justly, who can state before us, that Ferrer stood forth in relief in Europe on account of his intellectuality and it remains for eulogists, those who have seen him at a distance and have not know him near to say so.

Well, it is evident that the figure of Ferrer took greats relief in the european revolutionary world, and Ferrer profited by it. Ferrer—an this is one of his characteristics.—who had perserveringly cultivated the friendship of those revolutionary elements; who held an exalted position in French Masonry; who had established the League, which I have mentioned; who had Reviews in several Capitals of Europe, tried to establish himself principally abroad, lived, himself, chiefly ing foreign countries. In Spain, he continued his revolutionary work, although the Modern School was shut (closed in 1906, and in 1906 the conservative government was not in power), he had been able to create many others, and to do this he had come to an agreement with the Radical Party in Barcelona, he had established branches of the school in his Clubs, he had gone on creating a body of professors and teachers in whom he had complete confidence; but this secret, silent, astute work of Barcelona, penetrating chiefly the labour element had its root, its origin, its principal source abroad.

Is it true that after 1907, that is to say, after the absolution of Ferrer in the trial of the calle Mayor, that he retired from public life? No: because Ferrer, during the summer of 1908, in Amelíe les Bains, had a famous reunion, to which he had also invited Señor Lerroux; (Señor Lerroux. That is not a fact.) Your family (Señor Lerroux. That is another thing. I was in Paris and he invited my family). That is so. I rectify it: He wrote your Honour a most affectionate letter.

inviting your family to spend a short time with Soledad Villafranca, and himself, with Ferrer. (*Murmurs.*) Then, in that period, at that epoch, he had a reunion with Anselmo Lorenzo, Malato, and other well-known anarchists. In his correspondence, with Anselmo Lorenzo, wich preceded this reunion, he says clearly that they are going to deel with important affairs. But finally, *El Progreso*, of Barcelona has recently publishld an article, wich Ferrer in his turn had published, in December 1908, in a newspaper of the Midi of France, in wich the following can be read: «It is the bourgeois and capitalists of this Republic»,—he is referring to France—who alone can be attacked».«Here is the reason why »the Spanish revolutionaries, although separating themsel»ves from the tacties of the Socialists of Pablo Iglesias sys»tem, do not attach the republicans who fight against the »Monarchy; but on the contrary, as far as possible, we orga»nise ourselves, forming Syndicates and Federations to arrive »at the sole Constitution of the General Confederatin of Spa»nish Labour, in order that when the republican party de»clares itself, we can take part in the fight, and make the »weight of our strength felt, so that te Spanish Republic »may be a Social Communistic and free Republic, as far as »possible. Then one will not shout «Three cheers for the the King» but «Three cheers for the Communistic Republic.» December 1908». It appears to me Gentlemen, that I continue to present documents which prove Ferrer's revolutionary work, the persistence of Ferrer's in his revolutionary object, to brush away the idea that one is dealing with a pedagogue, a worthy Gentleman, who had abandoned public life, and suddenly found himself before a Court Martial, accused as an anarchist. I have already said in the month of July, and I repeat it now, that Ferrer dedicated much of his activity since his absolution in 1907 in the calle Mayor trial, to organise the Solidaridad obrera, the unity of Labour, trades unions and syndical and anarchical Societies. A letter from Anselmo Lorenzo, who found among Ferrer's papers, and which

I read on a previous occasion to this House, in which he complains that the fact that Ferrer had lent an important som of money to Solidaridad Obrera had become publishy known.

Let the Señores Diputados, give this attention, because I am going to demonstrate that it was this same Society which first impelled the strike and revolutionary movement of 1909 in Barcelona; the connection between Ferrer and it; the indispensable dependence of its directors on Ferrer; all this has capital importance and is one of the basis and affirmations of the sentence. Having organised the Solidaridad Obrera: having on every occasion that occurred when consulted by Labour Societies, advised them to affilate themselves whith the Solidaridad Obrera; having assisted the Syndicate bodies in all their struggles in Barcelona at that time, and about that *El Progreso* knows well enough, and more than that Don Emiliano Iglesias has also declared it, as I aserted the othe evening, we arrive in these circumstances and in these con ditions at the outbreak of 1909.

We have it then, that Ferrer, when the events of the summer of 1909 began, was a constant revolutionary, that he had revealed his sympathies since his earliest youth, that he hod taken part in the public life of Spain, and that he had not desisted to take part in it; that unfortunately for his memory, his name went coupled with the great political crimes of recent times; that he sound as you see, when Canovas was assassinted; that he intervened, as you see, when they attempted the lives of the King and President of the Republic in Paris; and was tried on account of the attempt in the calle Mayor, of Madrid. Very well, Ferrer after having made an excursion throughout Spain in 1909, during which there were some incidents as that at Seville which consisted in an effort to enter into the same train, for Madrid or some intermediate station, as that in which His Majesty, The King, was travelling, making ostentations of his person and purpose; after this Ferrer went

to Paris, and from there to London, where he remained during the month of June 1909.

And here I claim your undivided attention, Gentlemen, because we are arriving at the culminating point of what I have to shew.

In London Ferrer was to be found. I say, in the first days of June 1909 accompanied by Soledad Villafranca. I will not speak of wat he was doing in London: but as Minister of Government I had some notice. Ferrer was well known, the same in Paris as in London, and other capitals. The Señores Diputados, already know what was said in there trials, and that the sentence itself of the calle Mayor trial declared, that the french authorities esteemed Ferrer as a most dangerous anarchist, it was lucky that I Know something about what Ferrer was doing in London, for at least I can affirm that he continued to maintain constant relations with the best known anarchists, receiving their visits and being accompanied by them in his expeditions within London. Well, in the first days of June this Parliament was closed, and immediately afterwards a credit note for the preparation of troops to send to Melilla, was brought before the Council of State, was discussed, and spoken about it was no secret it had been discussed, and Ferrer, who had writen a letter on the 9 th. of June to the Secretary of the League for the National Instruction of the young, Carlos Albert, his intimate friend, saying that he was sorry he could not then go to Paris, and that he was preparing besides an assembly of the League, for the Summer; that is to say that he proposed to remain abroad, on the 11 th., that is to say some two days later he wrote anotter letter to Carlos Albert saying that he had received news of the illness of a member of his family in Spain, and that te had to leave for there in precipitate haste, and that he will expect to see him in Paris.

He left for Paris, and remained there forty-eight hours; in spite of the urgency, in spite of the illness, he remains

forty-eight hours in Paris, and then comes to Mongat. He arrives, I think, on the 16 th. of June; when he arrived, his sister-in-law, the wife of Jose Ferrer Guardia, had already risen from her bed, her health having been restored; on the other hand, one of her daughters had fallen ill; she died during the next few days, the 19 th. Then: Ferrer Guardia, who said that he had to be in London, who announced that he intended to hold a meeting of the League, notwithstanding that these illnesses had come to an end, remains in Mongat for the rest of June and the whole of the month of July. What is the explanation of this? In an enquiry in wich all was studied and sifted, in these works wich circulate throughout the world, Ferrer's letters bear a testimony wich must be beleived, to which one must submit. It is as well that we examine these details also, for as a matter of fact mere details they are not.

He remains there June and July. And what is the explanation of those who study this phase of the case? Malato, that dear friend for whom Sr. Lerroux, at the instance of Ferrer who had entrusted the matter to him, went to offer testimony, says that Ferrer was interested in the price, the quotation of the shares of an Electric Company of Barcelona. And in order to find out this, he remains there the whole month of June, he remains there the month of July, and it is there that Ferrer is surprised by the revolution of July. And here, Gentlemen, it is as well that we fix our attention, on that characteristic fact that Ferrer was far more a foreigner than a Spaniard: here it is as well to remember, that when Ferrer saw himself menaced by the trial of the calle Mayor, as also when he saw himself menaced in the trial of the events of Barcelona, he did not have recourse to a single Spaniard, he did not address a letter to any single one, he did not ask for help from any where except abroad, always **abroad.**

What was he before he tried to fly on the 31st Aug disguised as an esperantist, for that is what he said, and he ca-

rried also a letter in his pocket directed to a supposed esperantist, which was he; before he attempted to fly, I say, he had written a letter to Malato, either on the 10th. or 12th. of August, if I am not mistaken, explaining all that he had done on the previous days, on the 26th. and 27 th. of July up to and including this day, on which he wrote, during which the events of Barcelona took place; and in a declaration before the judge he says:— «I had already taken precautions; I had already written to a friend of mine in Paris, saying all that I had done, so that it could be proved when it would be deposed in the trial». But, I repeat Gentlemen, he always directs himself to foreing countries, and, what a chance! what a coincidence! these events of Barcelona, which had their origen in the Melilla campaign, in the Spanish action in Melilla, possess the peculiar quality of having produced movements in Spanish political parties, which scarcely have an explanation, but nevertheless, when the union of those political parties with other foreign parties, is taken into consideration, it becomes possible to find an explanation.

And the same thing which I say of these political parties, I say of Ferrer. What a coincidence! that Ferrer, more a foreigner than a spaniard, although he kept the revolutionary movement for Spain; that Ferrer was in London, when the preparations were begun for our action in Melilla, and that he left precipitatly for Mongat, remained in Mongat without any satisfactory reason, and that in addition to this, that it was abroad, where Ferrer had his roots and base, that the iniquitous campaing of the defamation of our Army begun, and of opposition to our action in Melilla; a campaign of which I have already spoken on various occasions in order to shew, with documents which are to be found in the *Diary of the Sessions*, that long before the events of Barcelona were produced, that long before Ferrer was arrested, this campaign was being made in foreign countries, scarcely indeed after Spanish action in Melilla had begun *(applause in conservative minority)*. Be what it may, the one thing certain is, that Fe-

rrer, having all these alliances and connections abroad, arrived in Spain, and instructed the revolutionary movement, at the very moment when the campaign had begun abroad.

Interference of Ferrer in the events of Barcelona.

Affairs were in this condition, when the general strike was promoted on July 26th. and afterwards all the revolutionary movements. which extended throughout Cataluña. It has been shewn, that Ferrer had been remarked from the first; the superior Chief of Police noted him on the 29th of July; but other indications broke out spontaneously at the same time as those others which were expounded in the trial, begun by the military courts, other indications broke out in Premiá de Mar, as declared in the comunication writen by the Lieutenant of Carabineros, to which Sr. Salillas has referred, and the instruction of the trial was begun by the judge of Mataró.

Let the señores diputados mark this well, for when so much is said of Government suggestion, when it is said so often that we exerted our influence over the military authority, to the prejudgement which Sr. Salillas has explained, it is very strange that at one and the same as the military authority found, appreciated, and gathered particulars and direct accusations against Ferrer, those same accusations, those same particulars, presented themselves to the consideration of the judge of Mataró; and that as soon as he had received the depositions of several witnesses, he prosecuted him; and as soon as the military judge han taken the depositions of several witnesses, he prosecuted him also. And now we have arrived as the trial.

It is clear that I can dismiss all those questions. which have been answered for me by. orators who have already spoken, which treat of the formation of the separate indictment. etc.: of this I have not to deal. Y have to deal excluseively with the trial, and how it unrolled itself, and I

must speak very briefly for I have offered to do so in synthesis.

But at this point, gentlemen, it is necessary that we consider Ferrer Guardia, as he was when he stood before the military judge: as Ferrer Guardia was, when he stood before the military Tribunal. For would it be the same thing, if only a simple citizen is being dealt with, of an unknown person, a man who had no public life, who had not interfered in all these revolutionary movements, who had not made all this propaganda, who had not had his name coupled with the crimes which I have recorded? Is there anyone, on the other hand, who thinks that only for this and such antecedents Ferrer would have to be condemned? No: but when one is dealing with a man, who had dedicated his entire life to bring about Revolution in his country, who had interfered in all these movements, who had written all those articles, who had created Solidaridad Obrera, and who gave it an anarchical character; when one is dealing with a man, who had all this past history, is not perchance the judge first, and the Tribunal afterwards, to consider it?

Ah! when I hear certain orators declare with censure it should not be possible to hold this in account, I remember the trial for the attempt in the Rue Rohan, to which Lerroux went in order to declare that he believed the whole thing to be a business of the spanish police; and in that trial two such well known men as Jaures and Briand made a declaration, and those two eminent frenchmen say, «We consider Malato a man of advanced, very advanced ideas, very radical ideas; but we do not believe him capable of taking part in an attempt»; and this was considered to have a great influence on the trial. Why? You do not reject this system of influencing judgment, and this kind of proof, and these echos of opinion borne by men of great prestige and great prominence, and yet do you wish to cancel all that which is evident, all that which is notorious and what the opinion of Spain remembers? Well, the Barcelona trial, can never be understood I have said it and

I repeat it, to satiety, unless all this past history of Ferrer is held in account.

For instance, his saying to the Alcalde of Premia, that it is necessary to proclaim the Republic and burn the Convents and Churchs, his counselling the some thing to Llarch in respect to Masnou and his saying to that carpenter Gudas who was working in the house, «The hour has arrived to burn all»; all which actions, that the sentence considered as proved, I do not deny it would havo less importance, if it had been an unknow individual; but when dealing with a man who has always been trying to organise a revolution, who. signing himself with zero, wrote that programme of 1892. of the three hundred «men of heart» with the dynamite were to make the Royal Palace fly up into the air, who has this immense authority in the revolutionary world, who started the movement which he began abroad, and which now reverberates here, when one has in mind all his interference, and all his personality, on seeing him move as he eventually did move in the events in Barcelona, what is the first thing to be thought? Well, what one thinks, is what all Barcelona thought, what hundreds of thousands of citizens thought. who did not protest, those hundreds of thousands of citizens who did not disturb them selves, and who heard the sentence, and its execution and remained silent. *(Sr. Lerroux:* Who could protest when you were Minister of Government.) Well commending to your Honour what the poet Alomar said; commending to your Honour the article which appeared in those days in *El País*; and commending to your Honour the article in *España Nueva*; but lastly. your Honour could without any ris from Paris or London solicit a reprieve. *(El Sr. Lerroux:* When I knew it in Paris. he was already shot. *El Sr. Iglesias y Ambrosio:* For what was La Tribuna of Barcelona suppressed? *Murmurs.)* You see Gentlemen, that this trial was commenced because of the reports which I have related of his having been the 28 July in Masnou and in Premiá de Mar, of havign counselled, suggested

and excited the proclamation of a Republic, the burning of Churches and Convents; what is the full result of this case? Can one demand that in order that the Tribunal declar Ferrer guilty of the crime of Military rebellion as chief that the testimony be taken of all those persons who had intervened in these conferences, in the proclamation of the chieftainship, in the orders which were given, in all the acts which were realised by the inspiration and direction of these persons were?

The proof of the witnesses in the trial.

But, Gentlemen, if we had looked at the difficulties with which the military Tribunals have investigated these deeds; owing to the lack of social co-operation, would it have resulted that such crimes had not been commited either in Barcelona, or any other part of Cataluña. I hope you will not demand proofs from me, or from any one else of the, crimes committed, of the attacks made on the public forces, of the crimes of arson, sacking, and assassination. I supposse you do not require it proved, that the railway-lines and telegraph and telephone wires, were cut. All this was done, is it not true? Well, look at the trial and you will see yourself met with an enormous difficulty, where lay the responsibility. Why? Because one is dealing with a revolutionary movement, because one is dealing with a movement inspired by a political end, and many people drew themselves away from giving evidence; so many people were afraid. The coercion of the anarchical element is infinite in Barcelona, where terrorism has been giving sings of existence for so many years. By chance, the scarcity of direct proofs of the deeds, is common to all the trials which were held, both by military and civil authority.

But in this trial of Ferrer, passing over all those things of which Sr. Alvarez has spoken, what appears? For, gentlemen, if we should have to say «Don Domingo Casas, alcalde

of Premiá de Mar, does not deserve to be believed, to because he also was tried: the lieutenant of the alcalde of Mataró, does not deserve to be believed, for the same reason: Alvarez assistant secretary of Premiá de Mar, for the same reason does not deserve to be believed: nor Alsina, because what he says is unlikely; if we should have to examine the witnesses in this way, it is clear we would have done away with all proof. For the fact is this; that only those who can give evidence in this case, adequate to the manner in which the events took place, and the movement organised, are those who took part in the wents themselves and thanks for what they said. But why are they not to be believed? Where is it written that they are not to be believed? I have already read in Dr. Simmarro's book, that the leyes de Partidas speak of this; but I suppose that Sr. Alvarez, will not follow Dr. Simarro in this point.

(Sr. Melquiades Alvarez:—Nor have I said that they are not to be believed: Your Honour is pursuing a fantastic argument.) I am satisfied with what your Honour says, and take note of it.

Then there is no reason for disbelieving them. And what follows?

It follows, that Ferrer is not accused by reactionaries, not accused by the representatives of Social Defence; for it is now the moment to say that not a single representative of the Social Defence, gave evidence against any person who was tried, and this I know. The Conde de Santa Maria de Pomes—a most honourable person of Barcelona—professes himself scandalised that it was supposed he brought an accusation, when he only said in the general trial, that he had heard a conversation in respect to two persons, whom he pointed out, though he could not say whether what they said was true or not; and that is all the part he took in the General trial: in the trial of Ferrer he had absolutely none. This most honourable gentlemen, of whom it is supposed that he came to Madrid and spoke with the Prime Minister

and me. and we agreed upon the stern repression of Barcelona. when he came here as a private citizen. in use of a perfect right. as came many others, to claim the protection of his Majesty Goverment. Cannot that be done, without it serving as a symptom.—nay more than a symptom—an evident proof. that the Goverment had decided upon a ferocious reaction, as has been said in books, articles, and the speeches of eminent orators?

Ferrer, was not accused by persons who had become impressed by outrages which had been commitled on Convents and Churches; those who witnessed against him. were nearly all republicans: by the republican element was Ferrer accused. What! Repudiating all the declarations which had been made since the first depositions; for Ferrer, who had all these antecedents, which I have indicated, Ferrer took flight, and was not arrested until August 31 st, when he pretended that he had been abroad, as I have explained before. He took flight in desguise, and was arrested: scarcely had he time to write—to foreign countries, as ever—, describing the detention of his person by the authorities of Somatén de Alella, saying that they treat him with such cruelty, that they do not wish to unbind him sufficiently to allow him to drink water, and that in consequence he has to go without drinking water. He was already displaying himself as a martyr before the revolutionary world. Well, he took flight and was arrested, and this fact seems to me, when coupled with ale the other direct accusations made against him, to constitute an indication that could give birth to the idea, that that mad was guilty.

Ferrer afterwards, made statements of the editorial duties which occupied him on the 26th, and the witnesses cited by him proved what he said was true; but Ferrer hid, or denied that he was in *El Progreso*, and it was proved that he was there; and he denied that he was in Casa del Pueblo, and Ardid, a well known republican, said that he was in Casa del Pueblo, and that he asked him if affairs were going to finish

in that manner, and that he answered. «It is quite clear; and those who are organised will see what is going to happen.»

The republican Ardid also said, that he did not want that man to be there, and that he told him to go immediately, which he did by a hidden door. Ferrer denied this, but later, on his confrontation with Ardid, he had to admit the possibility of its being true.

But we are not going to discuss that now, for you have declared now this to be true, for light is being let into the matter.

So now, we have it that Ferrer is given the lie, in the version he gave as to how he spent his time on that day. There now comes a witness, named Domenech, who accompanied him from the first moments, who gave as all thes evidence, and who, above all, spoke of Vicente Moreno, the secretary of the Solidaridad Obrera, a rationalist teacher, whom Ferrer had placed in a School at Sans, a person in whom he had entire confidence, who afterwards in Paris, in Les Documents du Props, in text which I have here, declared that he was one of the Revolutionary Committee; this Moreno, met Ferrer, and asked him if they were still in agreement with the people of *El Progreso*—with the radicals—, and he told him to return, and demand that the agreement be kept, that they should be in accord, and added «we are already understood, and... if anyone is lacking! We vill do what in Russia is done with traitors!» Are not all these reunions and interviews completely cleared up? Are they not things which every one knows to be true?

And when, after these interviews, on the night of the 26th., the construction of the barricades began; when this Moreno took upon himself the character of captain, and called himself captain Moreno, and figured as such in the trials heard by the military Authority, in union with Rodríguez, the president of the Solidaridad Obrera, Ferrer, now that the revolution is already under weigh, left for Mongat, and dedicated himself, to what? To that which Sr. Alvarez conside-

red as almost ridiculous, to the proclamation of the Republic in Premiá de Mar? No: it was not to that. It was not to such a small and insignificant undertaking as that. It was to the extension of the revolutionary movement to all the towns. And thus it happened that the revolution, begun in Barcelona, extended little by little, nearly throughout the whole of Cataluña. It was for this, that Ferrer went to Mongat and Masnou; and in Masnou told the president of the republican committee, that they must burn the Convents and Churches; and many witnesses declared that on the very afternoon, when the general strike movement had been inaugurated quietly in Masnou, there came groups of strangers in an attitude of violence, and attacked the railway so that Somatén had to be called upon, to prevent them from committing the further damage they were preparing, and one, of those who had come, declared from the balcony of the town-hall, that he came in the name of Ferrer, that is what at least two witnesses affirm.

In Premiá de Mar he incited the alcalde Casas, in the presence of several witnesses, and invited him to get them to do the same in their own town; and on the same afternoon they attacked the railway--station, and burnt the railway storehouse; and at night they attacked the Monastery of La Doctrina Christiana, where there were 30 or 40 children, whon the gunboat Temerario had to save afterwards, and who did not them perish because the lieutenant of Carabineros, at the head of some forces, defended them, when the revolutionaries came in arms against the Monastery and discharged cartridges of dynamite.

He was afterwards, seen in Barcelona, on the 27th and there is one witness, he who is much found fault with by some orators, who said that he saw him at the head of a group; and there are soldiers who saw him among the groups; and there is a police constable who saw him also among the groups on the 26th, and there is a multitude of witnesses who all saw him, such as the director of the movement in

Barcelona. And, I say, is all this insignificant? Each one of all these deeds, taken back to the place where it was committed, might constitute a crime of more of less importance; all of them taken together, united with the preceding acts, and with the documents which were found in Ferrer's house, cannot all this form, ought it not to form, is there no right to form the opinion of the judges, to give them the impression that Ferrer, who had striven for nothing else, when the opportune moment arrived, seived it, and brought it about? *(Here! Here!)*

What I want to tell you, gentlemen, is that all these and the other proofs, which are spread in all directions, when analysed might appear small, when taken together, and united, are sufficient to form the conscience of the judges. And think, gentlemen, one is dealing with nothing less than a Tribunal which acted as a jury, of a Tribunal which was in Barcelona at that time, which had itself played a part in the same events, and which had breathed the same atmosphere. To this, Sr. Salillas Says, «There lies the prejudice, that which brought them to their verdict».

Ah! Señores diputados! Do you not remember there was another verdict delwired against an importunate, named Rull? Well, this Rull was condemned by a jury of Barcelona, and executed without the sufficient proofs of such material as this, which could leave his guilt proved beyond a shadow of doubt. A Jury of Barcelona, condemned him and he was executed, and no one protested afterwards, and Sr. Lerroux said that he rejoiced in the sentence *(Murmurs)*. And now, when a Tribunal constituted of a Colonel and six Captains, chosen by chance, with absolute independence, with an absolute independence, which no one who knows what the spanish Army is, would think could be surpassed in any kind of State, or in any country *(Applause)*; when this Tribunal, there in Barcelona, after the events, seeing everything, after hearing the defender, who was, according to Ferrer, «divine», that is to say, whom it was impossible to surpass; when

this Tribunal was hearing the case, and Ferrer found himself face to face with those accusations, he did not demand the corroboration of any witness; on finding himself confronted with those proclamations which he did not wish to recognise; faced by one skilful opinion he did not oppose another skilful opinion; when he limited himself to calling upon his family extemporaneously. if it was well known what they would declare later, without any of its being contrary to what the witnesses had said, and which you yourselves (directing himself to the republican minority), recognise and declare, how can you raise your voices here, and outside of here, saying that Ferrer was innocent? With what right can this be done?

The Political and Revolutionary Campaign.

Yes, Gentlemen, we come now to the root of the matter, because I am certain, and I offend no one—least of all do I offend truth and reality—I am certain, that revolutionary work is being done here, that an exclusively political work is being done: a work of justice is not being done. (Here! Here!)

Then, are we so blind, and is it possible to think that people are so mad that every one cannot see the political alliances which this campaign has. Do we not see, how two individuals are being conscribed, and does not this coincide with the attempts to divide the conservative party? Do we not see, how from day, to day, lies are being told, saying that there had been division in the Cabinet, when they were dealing as to whether or no to advise, that the grace of pardon be exercissed?

Do you not know, Gentlemen, that when my illustrious and dear friend, Sr. Dato, rose up a few afternoons ago, and made that solemn declaration,—wich had been made before by other honourable members of our party, like Sr. Besada, but we ourselves had abstained from making out of personal

dignity, and self respect —made that solemn declaration, and not later than the next day, the newspaper called *El País*, insisted that there was division amongst us in one of its leading articles?

Do you not, Gentlemen, that this is political work, a work of vengance?

From whence come these shots? From whence come these attacks? From those men (pointing to the left). Ah! if there all men are honourable, being deputies of course all are honourable: but in affairs of justice... in affairs of justice, some of you who fled from the Tribunals, some of you who are screening yourselves behind parliamentary immunity, come here *(Applause)*, come here to talk of justice, and to demand those penalties for us, and to point us out as the perpetrators of such faults! Who are you going to deceive?

In foreign countries! Ah! In foreign countries! In foreign countries, it is clear, they have not to be convinced, for the greater part of those who accompany you, of those who push you on, are, like you, revolutionaries, and think, and hope, like you, to destroy all that is opposed to revolution. And you, the revolutionaries, think that we, who had to fulfill our most sad but unavoidable duty, ought to be persecuted ruthlessly, persecuted in order that you can say to the world that which is opposed to your passage, to your action, cannot live. but must perish. This is then, the revolution her way.

But you, and I have said it on several occasions, are but fulfilling your rôle. You are those who act most naturally; but my greatest censure, and my greatest disdain, and I believe that of every honourable man, is directed against those, who also make profit out of it, without being able to confess it, because their compromises, and notorious ideas prevent it. It is not revolutionary hate which inspires them, it is petty personal vengeance; and that is what we have to tell to all.

What I feel most, is that in order to do this work, you have to attack very sacred things; for what is to be done?

When you talk of me—I am talking only of myself —, when you impute to me an interference in this trial, pressure suggestion brought to bear upon the judges, justices and members of the military Tribunal, in order to bring about the condemnation of an innocent man; when you speak thus, what is it you want to say? One of two things, either that all these individuals, from the Captain General downwards, lent themselves to the base vengeance of a government, or that they tried the case with injustice. In the first case, they lent themselves to vileness, in seconding that Government, what does that mean? In the second case, they perverted the truth owing to passion in order to bring a man to the gallows, what does that mean? You deceive no one, that is the whole matter.

Say then, that we have failed in our duty; prove it. If, as I said on previous afternoons, a purely government thing is being dealt with, without amy connection, or relation of any kind with the military Tribunal—with the military authorities—, we would defend ourselves yet; but it is that you cannot pass over all these factors, and this is the result.

We do not talk thus to shield ourselves behind the army. Why should we have to shield ourselves? But it is because we cannot assist you in the making of a mistake; and it is necessary now, when all this is being discussed in Parliament, it is absolutely necessary, that every one should accept the responsibility of his acts.

Work of Iniquity and Injustice.

To sum up: In order to make imputations such as these it is necessary to bring the proof. To tell me that I undoubtedly interfered in this case, that I perverted the facts, that I brought a man to the trenches of Montjuich, it is necessary, not as you do, to bring crafty and impassioned argument, but to present the proof. While you do not do this, you are performing a work of iniquity, (applause in the conservati-

ve minority); while you do not do this, you are performing a work of colossal injustice.

And those factions, such as the socialists of D. Pablo Iglesias, who at the last hour, when they had no connection with Ferrer, when it has been seen by all the documents to which I have referred before, that they were parties at variance, that they hated each other, and now when this army which is attacking us is increasing, which is attacking us for this very thing: neither will you deceive any one; because you are those who like Ferrer have the most intimate connection with foreign countries, and obey their impulses most: because you—as I have already explained to you in a speech in July —because you do not go in the direction in which European socialism is going, which in that very summer in Copenhagen in spite of all the aplausse, offered to your Honour, who presented yourself as the hero of the events of July; in spite of all this, you exerted no influence there: and what referred to the general strike against the war remained to be the study of the Brussel's Office. Your Honour cannot deny it. (Sr. Iglesias: I do deny it.) How well I am informed of those deliberations, of how that Congress of the representatives of the Proletariat terminated in a great banquet, in a great ball in the Town-Hall of Copenhagen. (Laughter.)

But here, before that great problem which you call one of Justice, you have united yourselves to factions which are opposed to you; and I have the right to say, to repeat, to think, that you, the same as Ferrer Guardia, have your roots, and receive your impulses from outside Spain.

(Here! Here! Great applause in the conservative minority).

RECTIFICATION OF SR. LA CIERVA

SESSION OF 8 TH. APRIL

Character of the events of July.

I understand, señores diputados, that at the hour in which we find ourselves, and at the height of this debate, I have no right whatever to abuse your kindness; but at last, it appears to me, we are arriving at the end of this debate, and I would be neglecting many duties, if I did not say something, concerning which several distinguished orators have expressed themselves, referring to what I had declared and making imputations against my own person.

I am sorry that Sr. Salvatella is not in the Chamber; but I have something to tell him which will remain printed in the Diary of the Sessions. Señor Salvatella on previous afternoons stated, when nothing had been said of this in the other discussion, that he had the conviction that Ferrer was innocent, and to arrive at his conviction, he referred us, to some of the scenes which occurred betweeu several persons during in the first days of the events of July; interviews which took place between several persons who were looking for the partisans of Sr. Salvatella, in order to take part in the revolutionary movement, and Sr. Salvatella, and after stating this, and after saying that in spite of all those conferences, said he could not discover who were the directors and organisers of the movement—a thinh which appears to me (I say it with all frankness) somewhat contradictory to the declarations which he made Sr. Salvatella—terminated by affir-

ming, that Sr. Ferrer, had had no participation in this. I am suprised that a person like Sr. Salvatella, the strength of whose intelligence we have all been able to appreciate, could permit himself to make such á statement, and to place himself among those who suppose that an injustice was committed in the condemnation of Ferrer; when he began—I repeat—by saying that in spite of all those conferences and incitations, he could not determine who had been the organisers and directors of the revolutionary movement.

In furtherance of this Sr. Salvatella spoke of the character of the events of July in the first movements of the general strike, of its peacefulness, and the unanimity it acquired in Barcelona. This is a theme which other orators have also unrolled in this debate, especially during this afternoon and that of yesterday. But the, Señores Diputados, must allow me not to enter into this, because it appears to me it was fully gone into in the month of July of last year. These orators could have expounded their views at that time, but others sustained analogous point of view, which we then answered. The only thing I feel called upon to say—because I believe it is in close touch with what we are debating,—is, that from the outset the events of Barcelona took upon themselves a violent character; that, for example, on the morning of the 26 th. violence was used upon the Barcelona tramway employees, who had not joined the movement; that there were serious collisions; that during the afternoon of the 26 th.—you all remember this, it is public and notorious,—there were discharges of firearms, and many killed, and wounded, in several parts of the City. At the same time, in Sabadell and in other towns, but it is sufficient for me to remember Sabadell, the railway lines were cut, attacks were made in public forces, and public order profoundly disturbed, and that it was not reestablished until a long time after. and all this happened on the morning of the 26 th.

I wish further to make á correction of fact to Don Emiliano Iglesias, who—I regret—is not in the Chamber: as

much in regard to a communication, or article, which I have seen written by him, in the Press, as to the statements he has made here; he has affirmed, that when I read a deposition of his which figured in the general trial, I made profit ont of an erratum according to which instead of saying it was he, D. Emiliano Iglesias, who had given the antecedents of Tressols, the inspector of the Syndicate movement, etcétera, of Barcelona, it declared that it was Tressols who gave him the antecedents which they produced as evidence in the case.

I have to affirm most solemnly before Parliament, that I have examined the original writings—which are in the Chamber—and no such erratum exist.

Charges and Discharges.

This to be said, I wish to make it evident that having listened, as it was my obligation, until the greater part of those orators who had announced their intention to take part in this debate, should have expresed what they held good concerning the affair which occupies us—in order to afterwards declare what was suitable for my defence (for in fact, the majority of those orators have directed themselves against me as an accused, or little less;—having waited, I say, in order to know the nature of the accusation—for that is what in all judgment is being made, that they attack me first in order I might defend myself afterwards—I do not know, if I have any real necessity to make any observations in answer to those which have served as the basis of the imputations directed against the Government of which I had the honour to form part. For you know already, that Sr. Lerroux, whose absence from the Chamber, I also feel, had announced in public, his newspapers having said it, that he came to Madrid to make accusations against the Conservative Government, or against Sr. Maura and me, which is what he prefers, at the same time as against the military Hearing.

Other orators, if they have not announce it outside, have done so here, and the newspapers connected with these orators, or which obey their inspirations, do not now print accusations, but daily publish caricatures and articles and—why not say it?—are inciting people to personal attempts, under the supposition that nothing less than two vile assassins who are being dealt with.

Thus, owing to this facility with which they have come to us saying, and continuing to say, all this, and owing to the speeches which have been pronounced by many orators, it now happens that the imputation made against us of having commited the crime of perverting the facts, of having influenced, of having induced a Military Tribunal to condemn an innocent man, is now on many lips; and since it is said that there were no indications or proof against Ferrer, and that it is very serious to condemn an innocent man in this way, you see, señores, whit what ease we are definitely found guilty; and are called all this by the same people who, in order to prove the innocence of Ferrer, penetrate into the summary of his trial, examine it scrap by scrap, and see if there is lacking a single signature, see if there is a single captions question, see if anything has been mutilated, in order to deduce that there had been a bias in his trial, that there had been a deliberate purpose to condemn Ferrer, as various orators have said, and that from the outset, from the moment of his arrest, Ferrer had been sentenced to death. Well, I have done very badly, as Sr. Alvarez has rightly said. (Sr. Alvarez: I said very well).

And I say, very badly, but doing what I could: microscopically and minutely, for my eyes are not accustomed to see at a great distance. (Sr. Alvarez: On the contrary). I with my shortness of sight and understanding, have succeeded, after my own manner, in demonstrating the lack of reason of those who attack me—and what procedure did I follow? Firstly, I showed the inexactitudes in the facts and conception of those who, roundly and sonorously, declared

that Ferrer's sentence was unjust: and afterwards I presented the figure of Ferrer, not in order to make a terrible accusation as Sr. Alvarez has said, but to tell the truth and what I know.

But Sr. Alvarez and other orators, have reproached me for not having demonstrated the guilt of Ferrer; Don Pablo Iglesias yesterday and his Honour to-day; and I say, what obligation have I to prove Ferrer's guilt, when he was condemned by sentence? (Assent in the conservative minority.)

Ferrer and Lerroux.

You have not hesitated to come here, and announce in meetings and periodicals, under the yoke of that moverment which has come from abroad, that Ferrer was innocent, in spite of finding yourselves confronted by a firm and executed sentence; it is upon you that the obligation devolves to prove that an injustice has been committed. (Hear, Hear.)

By chance, when your Honour spoke of the fact that I had devoted only 15 minutes to an examination of the Ferrer trial, it appeared to me that I had spoken too much. (Approbation in the minority.)

But let us come to that, very briefly, but we will approach it: because I did not then say all that I might have said, when I already found myself attacked by some, waylaid by others; for of that group I do not kanow if there has been one who has not risen up to say the same thing, to attack us, to beg for our condemnation, and to assert tha the sentence against Ferrer was unjust.

But Sr. Lerroux, has been the particular object of my allusions; because it is clear that this campaign, has been pursued with more ardour by Sr. Lerroux and his connections, than perhaps by any other political group. I knew that he was coming here to accuse me, and it was natural for me to expect the most vigorous attack from Sr. Lerroux, and for that reason, when—contrary to my previous determination—

I found myself obliged to speak before Sr. Lerroux, I showed that I had knowledge, and I think I proved it, of the constant connection, of the common political life of Ferrer and Sr. Lerroux; I pointed it ont several times, and I could no less than point it ont, for if I was speaking of the attempt against H. M. the King, and the President of the French Republic, it was Sr. Lerroux who went to offer testimony at the instance of Ferrer; for I was speaking of the calle Mayor trial, scarcely had Ferrer been arrested, and shortly after, his champion — Sr. Lerroux — began to publish articles in «El Progreso», of Barcelona, and in another newspaper of Zaragoza, defending him, saying that his innocence was proved, and even saying... (Sr. Salillas: Of his innocence, no. He defended the Modern School: but that article says that if Ferrer is guilty, he is to be condemned). But he says also, señor Salillas, that the judge himself, Sr. Valle, found no reasons for which he should be tried — and had to try him; that is what Sr. Lerroux affirms in his articles.

Sr. Lerroux afterwards, engaged D. Emiliano Iglesias to defend Ferrer, when Ferrer himself had found no one: and do the Sres. Diputados know, who was one of the illustrious lawyers of this Court, who did not desire to defend Ferrer? — Don Melquiades Alvarez. (Laughter.)

I recognise that then, his Honour — as lawyer — did not wish to defend him, in order to ecarn his fees honourably — and now he does it gratis. (Sr. Melquiades Alvarez. Allow me your Honour, there is no more difference than this; Nakens had asked me to defend him, and I refused the defence of Ferrer in order not to compromise Nakens; — you now have the explanation.) I accept it for the present. But, as a matter of fact, Don Melquiades Alvarez did not wish to defend Ferrer upon that occasion (Sr. Alvarez. Uttered some inaudible words.) Then afterwards, when the first search was made in Mas Germinal, there was found, — nothing! — cypher keys. Some person said that nothing in particular was found: well, here were some keys for communication with Sr. Lerroux,

keys which are to be found in the printed volumes, and some manuscripts in cypher, wherein, military's, the Cavalry, Cartagena, Badajoz. etc., etc., are mentioned. And afterwards that letter was found which Sr. Lerroux himself read here, an answer to that of Ferrer which incited him to take the leadership of the republican and revolutionary element. Fortunately, I had spoken of all this, and had spoken besides of that famous conference which señor Estévanez, Sr. Lerroux and Ferrer held in Barcelona in the middle of May 1906; three days before Morral's departure for Madrid.—he who lived in the Modern School and was the author of the attempt in the calle Mayor.

The supposed infractions.

Well, Señor Lerroux got up the other afternoon, and said it was wished to remove the discussion to a ground which did not suit him, and that he came here exclusively to speak of the Ferrer trial, and that he thought that all those things which I had said, which I had expounded, had nothing to do with the Ferrer trial; had then, wishing to devote himselt entirely to the Ferrer trial, he commenced an analysis of Conservative Politics, and the past history of my illustrious chief—Señor Maura; which things have as much to do with the trial of Ferrer, as with that of Jumilla, thaf of Infiesto, that of Salamanca etc., etc.; and he spoke of the suspension of civic rights, which he supposes Señor Maura always used as a resort of government etc., etc.; and was speaking of all this during more than two hours—exclusively of this; which as the señores Diputados see, has no connection with Ferrer's trial. But he does not want to discuss other matters; and I—what am I to do? If he does not want to argue about those things, which I consider of the greatest importance, I cannot insist upon his doing so.

But Sr. Lerroux revealed himself to us, under au aspect which, I believe, not one of those Gentlemen here present

had known, the aspect of a man studying a trial with great minuteness, and he studies the laws, whilst declaring himself to be unexpert in them, in order to point out a multitude of legal infractions, which he supposes to have been committed in the conduct of this trial. And I say now that it appears to me to be excessively unjust to submit to you an analysis such as Sr. Lerroux has made on this occasion.

Because to speak's as to whether the nomination of the judge Raso was bad, when Sr. Amado by reading an article has shewn that he was perfectly nominated; to give importance as to whether the judge nominate a secretary, and whether the Superior Military Authority nominated another afterwards, and whether that nomination appears in the summary, it appears to me would be too simple on my part.

It appears to me Gentlemen, that not only for all good lawyers, but also for all men of good understanding, it is fruitless to say that an auditor—that an assessor—because he had, as assessor, taken part in drawing up the indictment, was incapacited on account of incompatibility from later on undertaking the trial as assessor, comparing him whith an expert who had made a deposition in the indictment.

It is thus that Sr. Lerroux has continued to present a series of defects, such as for example, another which I remember now: a deposition which did not have the signature of the secretary but only that of the judge; the deposition of a certain Sr. Vidal of Masnou. I afterwards, looked un the declaration of Sr. Vidal in the trial, and found that Vidal said he knew absolutely nothing. And this is a case of enormous responsibility according to Sr. Lerroux.

In his anxiety to find defects in the procedure, he comes to say that when the judge read the prosecution to the defendant and his defender, in accordance with the article of the Military Code of Justice which orders that the charges that arise are to be read, two tremendous irregularities were committed, firstly the law says «the judge will read them» and instead of it, being the judge, according to the search

made, it was the secretary, the judge being present; and secondly, that instead of reading the charges which formed but a part of the summary against Ferrer, the whole summary was read, by doing this, legal infraction had been made, according to Sr. Lerroux, and the procedure was null and void. I have selected these on of what Sr. Lerroux has said. To examine all in detail would be wearisome, and as I have said to you Gentlemen, from my point of view useless and unnecessary.

The Indictments of Mallet, Baro and Clemente García.

Señor Corominas said something which deserves the attention of the Chamber: Sr. Corominas who is one of the orators of the greatest talent who have taken part in this debate, a man of pronounced convictions, and who, for that reason, makes an intense impression on his auditors, did not deal with the Ferrer trial; but on the other hand made an analysis, a study, which greatly impressed the Chamber, of the other trials in which some individuals of Barcelona were condemned to death, on account of the events of July.

I feel I have to speak of this. I am certain that the Government will have something to say, if they think that señor Corominas has not been well answered with what I may be going to say; because Sr. Corominas spoke of the trial of Mallet, of the trial of Clemente García, of Baro, and made certain statements which I am sorry to have to tell him are inexact; contrary to his with no doubt, but still they are inexact, for, because when he was speaking of the fact that Mallet had been condemned to death fer the supposed crime of having, with the assistence of others, put fire to certain movables, to certain furniture, to somethings used in connection with the services of the Church of San Adrián de Besós, his Honour, did not say that the fire reached the Rectory, which was entirely burn but; (Sr. Corominas: Permit me this interruption. The damage done to the Rectory according

to the engineer, was 180 pesetas). I have seen the summary, Sr. Corominas, and it says in the trial that the fire was communicated to the Rectory. Is that the affair did not consist in the secure of some furniture talling it into the public street and setting it on fire, but of something more. And his Honour did not speak, or if he spoke it was very little that was heard, of the fact that this trial come before the Superior Tribunal of War and the Navy, and it was that Tribunal which condemned Mallet to death.

It appears to me a circumstance of much interest when it is presented with an eloquence, such as his Honour's that the condemnation of a man like him, whom I understand your Honour reputed innocent—or little less—that he did not merit such a penalty; I say it is a circumstance of the greatest interest to have it stated that it was the Tribunal of that jurisdiction which considered that there were proofs sufficient to convict and condemn Mallet.

Afterwards his Honour spoke of Baró, and here produced a greater effect on the Chamber because he read aloud a paragraph of the written accusation of the prosecuting counsel. (Sr. Corominas: The whole accusation of the prosecution which was laid before the Council of war.) That is all very well: His Honour read all the accusation, and from it he gathered that there had not been a single proof against Baró. (Sr. Corominas, the Counsel said it.) Very well, that is the difference, the difference consists in that, and in an assembly it is necessary to tell the truth; and not tell it by halves.

His Honour said that the prosecuting Counsel affirmed that no witnessed proof existed against the accused, Baró; but he added: «I have the moral conviction that he contributed to the attack on the barracks of the Guardia civil, and for that I beg the penalty of death.» It is clear that by not saying immediately, that in spite of this declaration, which cannot be considered any more than as a slip on the part of the Military Advocate, that in spite of that, there existed a conclusive proof, in my judgment a most powerful proof, of

the charges brought against Baró at the trial, of being ringleader of a band military organised, which raised barricades in front of the barracks of the Civil Guard, which set fire to a church and which afterwards attacked the Civil Guard from behind a barricade: when all this exists, the declarations of the Counsel, to which Sr. Corominas refers, can produce effect, but the effect only to which his slip might give rise; because from beginning to end one is striving to enquire as to whether or no it was notorious that an injustice had been committed in condemning Baró to death, and it appears to me, Sr. Corominas, that as that was essential, if your Honour had remembered the witnesses who accused him as author of those crimes, you would have been more impartial. And lastly—and with this I answer other speakers—His Honour spoke of Clemente García, he whom they have tried to present as an idiot, as half witted. One of the charges directed against those who took part in this trial is that they refused to admit the proof of idiocy set up by the defence. Very well then; I, who have examined this trial, have to say that it is not true that he was condemned solely on the deposition of one policemen, founded on confidences he had received, which is what has been affirmed. This is not true, for those who took part in the construction of the barricade accuse Clemente García, and Clemente García admits that he assisted the construction; and it is not added, when this is spoken of, that from that barricade the Public Forces weere fired upon; a fact which Clemente García himself admitted.

And in respect of having seized upon a mummy danced with it, Clemente García himself says that he was in the barricade when it was brought there by crowds, that he took it, carried it on his head and left it near the coal shop. But there is something more to be noted, and I said it in the month of July, and I repeat it, owing to the importance which all this has, that this case also come before the Supreme Tribunal of War and the Navy, and that this Tribunal confirmed the sentence and did no more than change something refering to

what might constitute the deed of having profaned the mummy; but imposed the same penalty of death. It appears to me, Gentlemen, that when the Supreme Tribunal of War and the Navy takes part in a trial of this nature, there is reason so much that a mistake could not be possible; and if any one supposes that this is not sufficient guarantee, he ought to say so, and affirm it with such proofs that it would be impossible to admit doubt, and that has not been done. (Señor Corominas: Will you permit me an interruption for I shall not have time to rectify at length. What I said was that there being four accused, three clerks and a coalman, over whom there weighed the some accusation of having constructed barricades, the only thing which distinguished this coalman from the others was the further crime of having danced with this mummy, and his crime is only confirmed in a confidence). The accused himself admitted that be took the mummy, and the judges considered that proved, and we, in an enquiry like this cannot constitute ourselves into judges. It was attested that he had served in the army without any one disdaining him as halfwitted.

Lastly Sr. Corominas said something which it is also necessary for me to rectify, although it has no relation with this debate, and that is that we have 6.000 citizens of Barcelona inscribed on a rôle as suspects; His Honour arrives at the supposition that it was our intention to make these 6.000 citizens change their domicile owing to the suspension of civic rights which existed. I allowed myself to interrupt Your Honour to tell you that we had not exiled the 6.000, and Your Honour said that we had not had time to do so. (Señor Corominas I did not say that.) Something like that: if it was not Your Honour some one else said it; we heard it. And concerning this, I want the Señores Diputados, to recall what I had the honour to say when we discussed the whole of this subject in the month of July of last year, for at that time I gave the classified and detailed list of the 175 persons who where alienated, or of those who were forced to

change their domicile; 175 persons of whom only 50 or 60 were anarchists or persons qualified as revolutionaries. The others were corrupt people who constituted á real source of disturbance in Barcelona in those moments, and which it was necessary to separate. But we had facilities to decree this change of residence from the 1st August 1909, when the events of Barcelona had subsided or at least material peace was restored there until the 21st October when we ceased from Power, and it appears to me that had we had the intention to expel these 6.000 persons, we would have had time to do so. I am sure that Sr. Corominas will recognise that in this much he exceeded in being so severe with us on that occassion.

THE SEARCH IN MAS GERMINAL

Señor Barral afterwards Sr. Albornoz dealt with a point, the only one of importance in my judgment, with which they did deal, which I am going briefly to rectify. It refers to the search made in Mas Germinal on the date of 27 th. August 1907, and to the discovery of some proclamations, and their publication in the newspapers, with the consent of the Govermnent. It was with this that these orators dealt. I spoke here of a search made, with suspension of civil rights by an inspector, a secretary and five constables, and with the assistance of the mother of Soledad Villafranca, and it appears to me too much to believe that so many people could come to an agreement to slip other papers upon the files where these documents were found, this appears to me to be decisive. It is true that when they say that the depositions were prepared, that two soldiers came to an agreement with the colonel; that an inspector came to an agreement with the judge; that the assessor came to an agreement with the Council of war, I that the latter condemned an innocent man, it is natural to think that all these people who went to make the search in Mas Germinal could be capable of slipping in these documents, which are doubtful.

One is not now judging whether this search, in Mas Germinal ordered in fact by me, was well or badly done. I explained on a previous afternoon, in answering Sr. Alvarez I think, why I gave orders to the Governor of Barcelona that this search should be made, a search which had an object that of finding Ferrer, for at that time he had not been arrested, and also to ascertain if any documents existed which might throw light on the affair. To judge as to whether or no a witness was missing, is not an argument which can be employed, for article 6 of the Constitution does not demand these witnesses, except in the absence of a person interested, and the mother of Soledad Villafranca was there. Be what there may about the case although it was said that not one of those who assisted at that investigation can serve as a witness; all this appears to me to be fruitless, for the only thing which must be seen, is whether these documents, which enter into the trial, are authentic or not; whether they were Ferrer's or not Ferrer's. It is granted that all these documents, less the proclamations, that all these documents which were found and shewn to Ferrer, including the manifesto and programme of 1892, were written by the hand and in the writting of Ferrer, and were admitted to be so by Ferrer. That proclamation was the only thing he did not recognise; but it was submitted to expert opinion, and the experts said that the corrections made on the proofs was Ferrer's. It was an expert examination made by one of two sergeants who were school masters. Señor Alvarez supposes that these experts were also prepared; but, Sr. Alvarez, why did not the defender, as he had the right, demand to have an examination made by experts named by him.

Therefore, I have not to cease to repeat, Gentlemen, when it is said that witnesses were not examined before the Conseil of War, and that no further examinations were made; that all that happened because Ferrer and his defender so wished it; they could demand it by law, why did they not do so, if all the witnesses had lied, if all their statements

had been skilfully concocted, if the witnesses had been suborned? (Here a deputy, Señor Lerroux, I think, demanded a certification, which the Government has sent as to whether or no the soldiers, who declared that they had seen Ferrer on the 26 th. had been rewarded, or not.) This has been said here; when all this is said concerning the witnesses, and at the same time it is recognised, and Ferrer himself also recognised it that the defender fulfilled his duty admirably, why is it not thought, that if in fact they had considered that those witnesses had brought false testimony, that they would have demanded its complete corroboration? For they did not do so.

THE PUBLICATION OF THE PROCLAMATIONS

One of the principal charges which is directed against us, of those which serve to cause the greatest impression, so far, I believe, that there is not one orator who has not used it, is that we were preparing an opinion, which forcibly brought to bear upon the Tribunal, caused it to condemn Ferrer. Here we have the biased trial, which hasbeen principally unfolded by the already famous Dr. Simarro (Here a Deputy pronounced some words which were unheard). It has been admitted that in some of his courses he has not convinced a single one of his pupils; it was reported to me when I was Minister of Public Instruction, that they did not understand him, and nearly all of you here have been his pupils (El señor Giner de los Ríos: They said that of Salmeron in his class; they said that of Sanz del Río). I do not commit the injustice of comparing Señor Salmeron with Doctor Simarro. (Señor Maura: The dead deserve more respect, Señor Giner de los Rios: what does Señor Maura say? Señor Maura: That the dead deserve more respect).

It is imputed that we consented to the publication of these proclamations, and as a matter of fact, I have to say that I did not do so. It is clear that it, has served some orators,

and particularly Señor Albornoz, as a means of taking aim at me, alleging that I had committed a crime. It is true it might be true if I had published these documents: it would always appear to me a strange thing in this country, and even in others, that the application of the article of the Penal Code which punishes the publication of secrets of the Summary, is spoken of, when the Summaries are known and the Press publishes full details. But this is a grave charge; is it not?

And when you speak of it, and have been constantly speaking of, and invoking it during the whole campaign, which has been made, which was made before, and is being made now, in favour of Ferrer; but when you are speaking of those proclamations, do you not remember what was published at that time in the foreign newspapers, and in some newspapers of Spain? So that when a savage campaign is being made against us, when it is being said by all Europe that Ferrer was a man of ideas, that Ferrer was not a revolutionary, had never been a revolutionary, that if he had been so at one time, he no longer was so, but that Spanish reaction wished to take revenge, on the person of the creator of the Modern School, and its branchers. When all this was said do you believe that it was a great danger to upright administration of Justice, a grave infraction, and a great responsibility, to allow the publication of that which had been found in Ferrer's house?; well: I do not repent of having let them be published (Señor Alvarez: That is well). I do not repent, Señor Alvarez, because letters of Ferrer were published in the newspapers of Madrid in which he accused his judge of being partial, and compared him with Señor Llivina, who appeared to him more impartial, and said that he saw in Señor Raso the spirit of Becerra del Toro, all this was published against the law (Señor Alvarez: But authority ought to give an example, not by erring). Ah! that was favourable to Ferrer and was published, and you do not speake of it, and if I had not mentioned it, you would not have spoken of it *(Murmurs)*.

But besides, you have it before you that these documents were seized in a search made by order of the Government and although, by chance, these documents went into the summary, they were in the hands of the authorities before being put there, and owing to that, I believe, there was no obligation not to publish the proclamation.

REPLY TO PABLO IGLESIAS

I am going to reply to Don Pablo Iglesias. Señor Iglesias stood up here, and like some others orators solemly declared that in his judgment Ferrer was innocent. He did not enter into the analysis of his case, neither have others done so; but he added himself to those who are making all this campaign and announced that of the Government, if the Chamber, did not accede to the begged for revision, there would come to pass all those tremendous things of which he spoke. To such a point is Don Pablo Iglesias convinced that Ferrer was innocent, and that it is necessary that the proletariat, in whose name he appears to speak would make a Revolucion if the trial is not revised.

I said something of this to him in July. I spoke to him of the brusque evolution which we had observed in his politics and relationships, for in fact, after the events of July, and particularly after the trial and execution of Ferrer, Spanish socialism had incorporated political parties and its proceedings and propaganda resembled more the Catalan Anarchist Syndicate System, which His Honour had been fighting against, than the traditions of the Socialist Party; and I said then that that did not appear in conformity with the march of European Socialism.

Because of this I spoke to this Honour, the previous afternoon, of the Copenhagen Congress and offered to prove to him, in an interruption, that what I had said was true. But it now turns out that I have no real necessity to do so, because he has already shewn that I am right in that the

violent temperaments and the accentuation of those proccedings of the revolutionary strike against the war, far from having prevailed on the Congress which was held in Copenhagen by the Socialists of the whole world, but on the contrary other temperaments of superior prudence prevailed, who produced the agreement to pass on the study of a proposition, which the french representative Vaillart had ardently maintained to the Central Office in Brussels; and as I said señor Iglesias when he recalled that the German Socialists had sent money during the events of July, to shew their sympathy with the movement, the truth is that it appeared very good to those socialists that you should go on strike against the war, but that they should not do so; and to this purpose it interests me greatly to shew, gentlemen; that it was these very German Socialists who opposed themselves to the passing of M. Vaillants proposal; but when señor Iglesias after assisting at this Congress, comes here and makes the same Kind of announcements as those he made on another occasion, and—let us remember he said it this very afternoon—his attitude and his political forces adopted the campaign in Melilla as the basis of their propaganda, that is to say, since Spanish action in Melilla began.

It is not fruitless to speak of this, Gentlemen, it will always be a theme of the greatest importance; and not even in the Ferrer debate is it fruitless, for besides that coincidence which I have now pointed out on several occasions, that Spanish Socialism has made itself more revolutionary of anarchistie since that epoch, there is that on yesterday afternoon, when Señor Iglesias affirmed that Ferrer was innocent, he said that this was principally known through the representative which socialism had in the strike movement in Barcelona, Señor Fabra Rivas, whom his Honour named, the Señores Diputados will remember the alliance which was proved in this Ferrer trial, with whom rested the responsability as chief, was born of the connection of Ferrer with Solidaridad Obrera, and of the fact that it was the Soli-

daridad Obrera which organised the strike movement and the revolutionary movement. Very well then! as his Honour hasreminded us, Señor Fabra Rivas was one of those who formed the strike committee, and he who could tell his Honour that Ferrer had not taken part in the events, he who wrote, to L' Humanité the famous articles of August 1909, in which he related the whole origin and course of the revolutionary movement in Barcelona.

Now that on yesterday afternoon the Prime Minister has spoken to us on a subject so interesting to our nation, I do not hesitete to read some paragraphs from an article published on the 3rd. of april, that is to say during this month, in L'Humanité, which is signed by the friend and representative of socialism the Strike Committee—Señor Fabra Rivas—in order that Spain may know how Don Pablo Iglesias socialists speak in foreign countries.

«The Generals of a defeat, those of the Council of war, the supporters of the throne of Alfonso (here a grave insult directed against His Majesty, The King) have not dared to make their little pronouncement. It is thir only method of fighting for some time past. They wished to take possession of Casablanca as a base during the Hispano-American war, and they suffered a most shameful defeat; they wished to hold a banquet on the heights of Gurugu in order to celebrate the victory, and were easily defeated on an open field». — I will not continue. I wish only to give this as an example, I say, to those who say that Spain is not abused, and that in all this campaign about Ferrer. (This article is written about the Ferrer debate) that Spain is not attacked; and since the antimilitary note is attenuated here, I wish that Spain should know what Don Pablo Iglesias, friends say abroad, precisely in these moments when the Prime Minister speaks, as he has spoken this afternoon. (Señor Alvarez; directing himself to the President:—but in this way we will never finish). Gentlemen, I am making rectifications; I must finish in 10 minutes, if we are all going to speak briefly (Señor Alvarez. If we finish

quickly there is no reason we should not continue to the end). I took the liberty, when his Honour was speaking, of interrupting him on several occasions; but I did it with the object of abbreviating, for in that way I would not now have to speak of those points. Your Honour has upheld. As I have said before, that I have not been able to show that this sentence was not unjust. I have already said what appeared to me to be necessary for my thesis, and it is for your Honour and other impugners of the sentence to show its unjustness. But finally your Honour has spoken of the fact that after my speech, to give it a name of some kind, everybody remained convinced of Ferrer's innocence; because your Honour supposed that in my opinion he was condemned or ought to have been condemned exclusively on account of his past. I believe that your Honour has not taken the trouble to listen to me with attention, because I have already put myself beyond the reach of those who make that observation, but how can anyone believe that anybody could be condemned for these acts alone? No; that is impossible; I presented Ferrer, as I understood him to be, and I managed to justify my opinion with documents, not with all those that I could have quoted, which are many, because that would have wearied the House excessively I presented, I repeat, Ferrer such, and how he was, in order that it might be seen how he appeared before the Military Tribunal, when he was brought there to be tried for certain of his acts, which in the opinion of the Tribunal were proved.

This afternoon Señor Ventosa has treated this point marvellously, and that frees me from insisting on it. But; Señor Alvarez, since not only do they demand that all there antecedents of conduct punishment, to which Señor Ventosa has referred, but we have passed a law of conditional condemnation, which has already been promulgated in other countries, according to which antecedents of the accused are to be considered, since one of the problems of every congress, held on the subject of punishment by law, (Señor

Salillas knows this subject and many others far better than I , is the punishment of incorrigible criminals; since all these things are shown, since all these things suffer modification in legislation, can it be maintained that when Ferrer arrives before the Military Tribunal with a revolutionary history, which was never interrupted, this is not to be taken into consideration? This is what I wanted to say, and this is what I have said.

A text of Nakens—I have to speak quickly and in this manner, I am only going to read a few lines—for I wish to ad and authority to these arguments; I think it ought to have authority for you:

«Should the revision take place all distinction will be removed from the figure of Ferrer, and above all if his innocence is proved. I cannot explain why, those who applaud the events of July, and sympathise with them, demand the revision».

«A Ferrer who after initiating the rebellion in Barcelona hid himself in a cowardly manner, would have asssesinated that Ferrer of the many years-old revolutionary propaganda, covering him besides with ignominy. The man who does not act in harmony with his words in difficult cases, deserves and receives universal disdein. There is another fault of logie in those who demand the revision of the Ferrer trial, and who at the same time applaud the rebellion. If it is a merit that he did not take part in it, why do they anathematise those, who passing as revolutionaries, abstained from aiding those who fought?

«The demonstrations of the innocence of Ferrer, I repeat, would be derogatory to him. He would not have been, what the world believes the executed man to have been, a man of convinced opinions, a revolutionary—a man; but a gentleman who founded schools, sold books, and deserved to be added to those clamourers, which this phrase, graphically describes—, «Let us arm ourselves, and you go and fight». Well, this was written by Señor Nakens. *(Murmurs.)*

THE INTERVENTION OF FERRER IN THE EVENTS

And let us come in two words to what his Honour lightly said: that I did not speak of the trial. I said that it had not been shown that one of the proofs, which were adduced and deemed sufficient by the Tribunal was, or ought to be held as inefficient. Neither Your Honour, nor the other orators who impugn those proofs, has convinced me, nor have they convinced anyone. By the acts which were stated at the trial it was proved that Ferrer took part in the events in Premiá de Mar, and in Masnou demanding the Declaration of the Republic, the burning of churches and Convents, and the inciting the revolutionary groups. It is admitted that it was announced from the balcony of the Town Hall of Masnou that the revolutionary bands who had arrived there came in the name of Ferrer, that Ferrer was in Masnou and many other witnesses pointed him out as organiser of the events. Did not Ardid point him out? Did not Bonet who was tried for incendiarism in Barcelona, point him out also? (Señor Alvarez: Bonet; no.) Bonet says that he imagines him to be one of the organisers *(Murmurs)*.

Then this is also said by Jiménez Moya, by the Alcalde of Premiá, by Alvarez himself, the assistant of the Secretary of Premiá de Mar; they all say that they consider him to be the organiser of those events of Barcelona. He is seen in the act of organisation, impulsion and direction, and if there is added to this that it is proved, and so stated by the sentence, that Ferrer was the inspirer, and director of Solidaridad Obrera, and if Ferrer himself, in one of his depositions before the judge, submitted the numbers of *L'Humanité* in which those events are related as they happened, the constitution of the Strike Committee, the Revolutionary Committee, and the conferences which were held among the political factions in order that they should join in, are spoken about; Fabra Rivas has said all that, Vicente Moreno has said it in

documents which were published abroad; and if, I repeat, Ferrer handed these newspapers to the judge and said that it is sufficient to read them to understand what are the true accounts of the events and their organization; and if it is evident, and it is proved by documents, and witnesses to be so, that Ferrer was the soul of the Solidaridad Obrera, and that above all Vicente Moreno, he who was once a bricklayer and afterwards became master of the Sans Branch of the Modern School, placed there by Ferrer, whose portrait was found in Ferrer's house; if these impulses are offered, if it is proved that on that night, the night of the 26 th. when the revolutionary movement began to augment, Moreno spoke with and received instructions from Ferrer; if it is esteemed that Ferrer, the soul, I repeat, of the Solidaridad Obrera, proceeding as he always proceeded, pushing on the others, organising, helping, but without showing his face much, did organice this movement; and if with all those antecedents and proofs, the Military Tribunal thought that he in fact was the chief of the rebellion, how can you say that we who think there is no reason to believe that these witnesses are false; that we who think it is not possible without conclusive proof to say that not only have these witnesses been lacking in the truth but that the Judges also have perverted the facts, we who think that all these proofs are conclusive; how can you say, I repeat, that we do not shew that his sentence was just? In you who have to establish that his sentence was unjust.

THE "DISCOVERIES" OF SOL Y ORTEGA

I am about to conclude, with some observations, for Señor Sol y Ortega has spoken of two very interesting things, it is a sort of Mediterranean he discovers for us. He announced with all the preparation he is accustomed to use, that in the Ferrer trial it was not proved that a rebellion had taken place. I have said that this was of interest, but that interest is

in recording it; in refuting it; it appears to me, there is no interest whatever. In a trial of that kind carried out by a Judge, who afterwards had to present the summary and the prisoners to the Military Tribunal, composed of officers who had taken part in the events, which had taken place there, and who had seen every thing, to have to prove that rebellion took place, etc., appears to me, Gentlemen, to be a fabricated argument, which has no rational foundation of any kind. Señor Sol y Ortega has spoken of a most grave legal infraction, namely that the Judge demanded the calling of the Council of war before the defender had returned the case to him, what infraction could there be in that? What possible importance could that have? But he afterwards made it evident that the Military Code of Justice only concedes twenty-four hours to the defender in which to examine the charges; but instead of the examination having 24 hours, what appears to have happened, is that they allowed him an extra 24 hours. It is clear that on the 24 hours elapsing, the Judge fulfilled his duty in making his demand on the Captain General. And he could do nothing else; and as it turned out that the defender was allowed to have the charges in his hand for a longer time than is permitted by law, in order that he might be able to fulfil his mission better, I think that instead of reproach, this merits applause. And besides, the defence, as I have said on some other occasion, could demand an adjournment of ten days and did not ask for it.

FERRER CHIEF OF THE REBELLION

Lastly, I wish to call the attention of the Señores Diputados to this. It has been maintained here by nearly all the speakers that in the sentence Ferrer was declared to be sole leader of the Barcelona rebellion, such is not the case; the Sentence only says that he is condemned *for being leader of the rebellion*, but without any doubt the Auditor General in

his report, declared that it appeared to be conclusively proved that Ferrer was leader of the revolution *if not the only one, the chief one*, these are the words from the texts. This is most important, because it is evident that at that time there might have been several leaders with Ferrer, and it is certain that there were; I believe that Ferrer acted chiefly as leader of the Catalan anarchists taking part, as I explained before, in the agreements, and act of the Solidaridad Obrera; and the Military Code of Justice condemns anyone to death who has taken the part of leader in a rebellion, even if there be other leaders the same penalty would be imposed as leader of the rebellion: and above all, Gentlemen, you have before you that even it Ferrer had not been leader of the rebellion, his intervention, is cooperation, his adhesion, are proved, as to this there is no doubt whatever, and whatever the charge the penalty is the same, because according to the Military Code the punishment of maximum imprisonment or death is decreed for those who in any way adhere to, or assist in, Military rebellion, and where there are aggravating circumstances death is the only penalty; and were there not aggravating circumstances in that rebellion? (Hear! hear!)

Gaylord Bros.
Makers
Syracuse, N.Y.
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